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No. 163

## House of Representatives

The House met at 10 a.m. and was called to order by the Speaker.

### PRAYER

The Reverend Carlton Cross, First United Methodist Church, Prescott, Arkansas, offered the following prayer:

Almighty God, we pray with thanksgiving for the breath of life. May we be an example of Your love and let us be thankful for this earth that You have shared with us.

We take this opportunity to ask for wisdom for all the world leaders. At the time of creation, You tell us that Your creation was good. Let us in faithful service do our part to continue Your goodness.

We lift our prayers for President Obama, the House of Representatives, and the Senate floor. We lift our prayers on behalf of all government, State, and local leaders.

We pray for our armed forces. We ask Your protection for them physically, emotionally, and spiritually. We lift to You the families that have lost loved ones in faithful service to our country.

God, offer the House of Representatives the wisdom to conduct the business of the day in a way that would be pleasing to You.

Hear our prayers, Lord. Amen.

### THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House her approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

### PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Arkansas (Mr. ROSS) come forward and lead the House in the Pledge of Allegiance.

Mr. ROSS led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### WELCOMING REV. CARLTON CROSS

The SPEAKER. Without objection, the gentleman from Arkansas (Mr. ROSS) is recognized for 1 minute.

There was no objection.

Mr. ROSS. Madam Speaker, I rise today to honor my dear friend and pastor, Rev. Carlton Cross, from my hometown of Prescott, Arkansas, and today's guest chaplain in the U.S. House of Representatives.

As an ordained deacon and elder, Rev. Cross has been serving in the United Methodist Church for the past 20 years. Leading congregations throughout Arkansas, Rev. Cross is well respected and admired wherever he goes.

Possessing a great passion for mission work, Rev. Cross' impact on the community reaches far beyond the pulpit, including his active involvement in the Ozark Mission Project for the past 15 years.

Rev. Cross is a graduate of Arkansas State University and holds a Master of Divinity from Memphis Theological Seminary. He and his wife, Tracy, have 10-year-old twins, Brady and Shelby.

Rev. Cross currently serves First Methodist United Church in Prescott, where my family and I are members. As a close personal friend and my spiritual guide, I can attest to Rev. Cross' sincere commitment to his church, his community, his faith and his country.

It is my distinct privilege and honor to recognize Rev. Carlton Cross as guest chaplain on this day in the United States House of Representatives.

### ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 further 1-minute speeches on each side of the aisle.

### HEALTH CARE

(Mr. KUCINICH asked and was given permission to address the House for 1 minute.)

Mr. KUCINICH. Madam Speaker, before we celebrate the new health care legislation, keep in mind that the American people will be required by law to buy private insurance, and they will pay a penalty if they don't; that insurance companies will be subsidized by the government; that insurance companies have had double-digit increases in premiums in the past 4 years; that we are locking in a for-profit structure. This is the result of a health care debate, the flawed premise of which is that health care reform cannot happen without the cooperation of the insurance companies which make money not providing health care.

The truth is that reform cannot happen with them; that insurance companies are the problem, not the solution; and that the legislation, no matter how well intended, will likely not be able to deliver and cost too much and be another bailout for Big Business at the expense of the American people.

### BRUISING THE CONSTITUTION

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, the government-run universal health care bill forces businesses and citizens to buy the government-approved insurance whether they want to or not, and whether they can afford it or not. This is a totalitarian concept.

The Constitution does not give this oppressive power to the Federal Government. Nowhere in this document

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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does government have the power to force citizens to buy anything. And further, if a citizen or business doesn't purchase the insurance, a criminal fine masquerading as a tax is imposed without benefit of a jury trial or legal representation. If the citizen cannot afford the fine, do they go to jail without constitutional protections?

This bill is an affront to individual liberty. It denies the citizen of life, liberty and property, and violates due process of law under the fifth amendment.

The false analogy that citizens must buy car insurance is not applicable. Driving is a privilege and an option regulated by the States. No one is forced to own or drive a car. Here everyone is forced to buy insurance or face a criminal penalty.

Somewhere in this debate we ought to be concerned with the Federal Government bruising the Constitution.

And that's just the way it is.

#### HEALTH CARE

(Mr. DEFAZIO asked and was given permission to address the House for 1 minute.)

Mr. DEFAZIO. Mr. Speaker, well, 140 days after the Republican leaders promised a health care plan, it was leaked. It is a bold proposal. I think it was actually drafted downtown by the health insurance industry association, just like their prescription drug bill was drafted by the pharmaceutical industry.

Now the Democrats' bill outlaws the most abusive practices of the insurance industry: preexisting condition exclusion policy cancellation when you get sick, called rescission. Not the Republicans, they can still cancel your policy when you get sick. Even if you have been paying your premiums, they can still discriminate against your preexisting conditions. The Republicans wouldn't touch that one.

Now the Republicans actually are going to facilitate further abuses. The Democrats rescind the antitrust exemption of the insurance industry. Not the Republicans. In fact, they are creating a new safe haven for this industry. The industry can sell a national policy which will solve all of the problems, but they can go to any State they choose to sell that policy from.

They will choose the most abusive, least regulated State in the Union. And if you live in Oregon and you have a complaint about your insurance provider, you will have to file it in Delaware with the corporation commissioner. No, give it to the Republicans, new safe havens for the abusive insurance industry. Good work, guys.

#### SHALL V. MAY PELOSI TAKEOVER BILL

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, I am grateful to join Congressmen FLEMING, GINGREY, HELLER, and HERGER to introduce an amendment to automatically enroll all Members of Congress in the government-run option.

In the Education and Labor Committee, I was able to pass the amendment requiring Congress to take the government-run option, but the Pelosi takeover plan changes the word which would make Congress take the government-run option being pushed on the American people. That one small "may" reverses the meaning of the bill.

If Speaker PELOSI insists on shoving this bill through, then I believe Members of Congress should take the government-run option. If it is good enough for the American people, then it is good enough to Congress.

In conclusion, God bless our troops, and we will never forget September 11th in the global war on terrorism. Congratulations to State Representative-elect Ralph Norman and Elaine of Rock Hill, South Carolina, for their overwhelming victory yesterday.

#### HEALTH CARE

(Mr. YARMUTH asked and was given permission to address the House for 1 minute.)

Mr. YARMUTH. Mr. Speaker, on the most important issue this Congress will consider, what was so egregious that dozens of my Republican colleagues paraded to the floor yesterday to make passionate speeches in opposition to the Affordable Health Care for America Act? I shall tell you. It was the fact that the word "shall" appeared 3,400 times in the bill.

Well, that is an interesting point, but it also reveals a certain amount of amnesia about law writing and civilization. After all, one of our most important and formative laws had the word "shall" in every sentence: You shall honor your father and mother. You shall recognize the Sabbath to keep it holy. You shall not covet. You shall not steal. You shall not murder. And most importantly probably for this debate in this House, You shall not bear false witness.

Mr. Speaker, if this is all the Republicans have, I say let's talk about font size or paper color. No, millions of Americans are suffering because of lack of health care. They cannot afford it. Eighteen thousand are dying a year. Almost a million are going bankrupt because of health care costs. We shall give America the health care reform they deserve.

#### HEALTH CARE

(Mr. SAM JOHNSON of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SAM JOHNSON of Texas. Mr. Speaker, according to the experts at

CMS, the Democrats' health care bill is bad news for seniors. Seniors citizens have a right to know that the cost for Pelosi's trillion dollar government takeover of health care is paid for with almost \$500 billion in Medicare cuts.

First, millions of seniors will lose their health plans. The experts predict that enrollment in Medicare Advantage will decline 64 percent, and that Medicare benefits will be cut for 11 million seniors enrolled in Medicare Advantage.

Second, according to the Congressional Budget Office, the Democrat health plan will increase the cost of Medicare prescription drug premiums by 20 percent. Seniors will literally lose their right to choose. Cutting the benefits seniors are entitled to in the name of creating government-run health insurance is just wrong.

Seniors want, need, and deserve better from America.

□ 1015

#### HEALTH REFORM—MEDICARE

(Mr. GENE GREEN of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today in strong support of national comprehensive health care reform for all Americans.

Since its creation under the direction of President Lyndon Johnson, Medicare has proved to be one of the great success stories of the Federal Government. We want to improve the solvency of the program to ensure our seniors today continue to enjoy the program and that our children will be able to collect Medicare benefits in the future.

H.R. 3962, the Affordable Health Care for America Act, does not endanger traditional Medicare, but it does immediately improve the program. Currently, there are 56,000 Medicare beneficiaries in the 29th Congressional District in Texas that I represent. H.R. 3962 improves their Medicare benefits by providing free preventative and wellness care, improving primary and coordinated care, improving nursing home quality, and strengthening the Medicare Trust Fund.

Each year, 4,400 seniors in our district hit the doughnut hole and are forced to pay for drug costs despite having part D coverage. This legislation will provide these seniors with immediate relief, covering the first \$500 of doughnut hole costs next year, cutting brand-name drug costs in the doughnut hole by 50 percent, and completely eliminating the doughnut hole by 2019.

Mr. Speaker, that's why we need H.R. 3962, to improve health care for our seniors and all Americans.

#### HEALTH CARE AMENDMENTS REMOVED

(Mr. PITTS asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, the health care bill we will consider this week spent 3 months behind closed doors. It started out with 1,000 pages and came out with 2,000 pages. While you might think that nothing had been removed in those closed door sessions, you may be surprised to find out that bipartisan amendments already adopted at the committee level have been gutted or tossed out. Now Speaker PELOSI is saying that we don't need amendments on the floor since we already had that opportunity at the committee level.

In the Energy and Commerce Committee, we adopted one amendment to ensure that the Center for Comparative Effectiveness Research would not be used to ration health care. We also adopted another amendment that would have prevented the center from dictating to doctors what type of treatments they can offer. Why would these amendments be gutted or removed from the bill? The only conclusion is that the authors of the bill want to move us in the direction of government-rationed care.

In Canada and Britain, similar boards are used to ration care and dictate how doctors treat their patients. Americans do not want government bureaucrats determining their treatments. They want those decisions left to doctors that they trust.

#### WATER FOR SAN JOAQUIN VALLEY

(Mr. COSTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COSTA. Mr. Speaker, yesterday, I joined together with Congressmen CARDOZA and RADANOVICH in a bipartisan effort to introduce legislation on the part of our ongoing efforts to bring more water to the San Joaquin Valley, and today I rise in support of that bill.

As I have said before on this floor, regulatory and hydrological reductions in water supply deliveries have devastated my district and parts of the Central Valley in California, leaving our cities and communities in many areas with unemployment levels of 30 to 40 percent.

This legislation calls for the review of the Federal biological opinions that have reduced the amount of water flowing to the valley, leaving some of the hardest working people you'll ever meet in your life ironically standing in food lines, unable to provide food for their families. Our farmers are in danger of losing their farms, and in some cases they have held them for generations.

The two biological opinions in question, one issued by the Fish and Wildlife Service and the other by the National Marine Fisheries Service, focus solely on Central Valley. They need to be reconsidered because I believe they are flawed.

For the last 18 months, I have repeatedly said there is not one single cause for the decline in the Sacramento and San Joaquin River Delta system and their fisheries. This legislation will assure that all environmental factors are taken into account.

#### HEALTH CARE

(Mr. FLEMING asked and was given permission to address the House for 1 minute.)

Mr. FLEMING. Mr. Speaker, as a physician with over 30 years' experience, I cannot state strongly enough how devastating this Pelosi bill is going to be for American families, businesses, and seniors.

This 1,990-page bill has come in at a cost of \$1.3 trillion by the nonpartisan Congressional Budget Office. It will create \$700 billion in new taxes. It will cover over 6 million illegal immigrants, and as many as 5.5 million American workers can lose their jobs.

The government takeover of health care proposed in the Pelosi health care plan could cause as many as 114 million Americans to lose their current coverage.

This bill will also ring in a new level of Federal spending, creating levels of bureaucracy that will cost trillions of dollars in new Federal spending and will exacerbate the deficit and imperil the Nation's long-term fiscal solvency.

And finally, cuts to Medicare Advantage plans will result in higher premiums and dropped coverage for more than 10 million seniors.

In short, the Pelosi health care bill will raise taxes, provide less coverage for families and seniors, and cost millions of Americans their jobs.

#### ANNIVERSARY OF ASSASSINATION OF YITZHAK RABIN

(Mr. COHEN asked and was given permission to address the House for 1 minute.)

Mr. COHEN. Mr. Speaker, today is the 14th anniversary of the assassination of Yitzhak Rabin.

Yitzhak Rabin was the Prime Minister of Israel on November 4, 1995, when he was assassinated. He was one of the great men of the world, and like November 22 in our country, that is a date that we should all remember.

Yitzhak Rabin served two terms as prime minister, from 1974 to 1977 and 1992 to 1995. He also served as Defense Minister in Israel during the Six-Day War, and was responsible for the raid in Entebbe. He was a great Israeli leader who was killed because he reached out to bring about peace with the PLO. He was given the Nobel Peace Prize for his efforts.

During his time as Prime Minister in the seventies, he brought about peace with Egypt, and in the nineties with Jordan and with the PLO and with Yasser Arafat.

We had a debate on this floor yesterday about a resolution. I don't think

we would have been having that debate if the assassin's bullet had not struck Yitzhak Rabin. I think we would have peace in the Middle East. It takes strong men like him, sometimes men of war, to bring about peace and reach across the aisle to their adversaries.

#### A MESSAGE TO THE BLUE DOGS

(Mr. MCCAUL asked and was given permission to address the House for 1 minute.)

Mr. MCCAUL. Mr. Speaker, I have a message today for the 52 Blue Dog Democrats out there, 40 of whom are conservative Democrats in districts that President Bush carried, and my message is loud and clear for them today, and that is that your leadership is making you walk the plank on this health care bill. Don't do it. Don't fall for it. Don't take the bait, for it will be your political suicide.

Stand with us on the Republican side. Stand with us conservatives to defeat the Pelosi health care bill. You have the power to defeat this government takeover of our health care system and the takeover of one-sixth of our economy. You have the opportunity to do something right for America. Stand with us. Stand with us as conservatives. Stand up for the American people.

#### HEALTH CARE

(Mr. KINGSTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KINGSTON. Mr. Speaker, I have looked at the revised Democrat health care bill. It raises taxes. It raises premiums. It cuts Medicare. It costs \$1 trillion. It puts a myriad of bureaucrats in between the patient and the doctor. Call me thick, but I don't get it. Why are they doing this?

We need targeted reforms. Americans have said loudly, I don't want to give up my health care. I want you to help the people who have fallen through the cracks, but let me keep mine because my program is working. And they're not being selfish; they're using common sense. If the kitchen sink is leaking, you don't take a wrecking ball to the entire kitchen. You fix the sink.

We need targeted health care that doesn't cut Medicare and doesn't raise taxes and doesn't cause premium increases. The Republican Party has offered many of these, and some of them are signed by Democrats. We can put together a targeted, bipartisan alternative, and we need to do it.

#### HEALTH CARE

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, after weeks of meeting behind closed doors, last week Speaker PELOSI unveiled her latest plan for a government takeover of health care.

According to a preliminary estimate by the Congressional Budget Office, the Pelosi health care plan includes more than \$1 trillion in new Federal spending on health care over the next 10 years. And when one looks past the budget gimmicks, the reality is the Pelosi health care plan will cost taxpayers roughly \$1.3 trillion and create 111 new bureaucracies.

This is not the kind of responsible health care reform the American people want. It's time for Speaker PELOSI to dump her budget-buster plan masquerading as health care reform and start over.

House Republicans have a plan for health care reform that will lower costs and provide greater access to affordable health care for all Americans. That's what the American people want.

#### PROVIDING FOR CONSIDERATION OF H.R. 3639, EXPEDITED CARD REFORM FOR CONSUMERS ACT OF 2009

Mr. PERLMUTTER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 884 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 884

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3639) to amend the Credit Card Accountability Responsibility and Disclosure Act of 2009 to establish an earlier effective date for various consumer protections, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services. After general debate the bill shall be considered for amendment under the five-minute rule. The amendment in the nature of a substitute recommended by the Committee on Financial Services now printed in the bill, modified by the amendment printed in part A of the report of the Committee on Rules accompanying this resolution, shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the five-minute rule and shall be considered as read. All points of order against provisions in the bill, as amended, are waived. Notwithstanding clause 11 of rule XVIII, no further amendment to the bill, as amended, shall be in order except those printed in part B of the report of the Committee on Rules. Each further amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such further amend-

ments are waived except those arising under clause 9 or 10 of rule XXI. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. In the case of sundry further amendments reported from the Committee, the question of their adoption shall be put to the House en gros and without division of the question. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. The Chair may entertain a motion that the Committee rise only if offered by the chair of the Committee on Financial Services or his designee. The Chair may not entertain a motion to strike out the enacting words of the bill (as described in clause 9 of rule XVIII).

The SPEAKER pro tempore (Mr. HOLDEN). The gentleman from Colorado is recognized for 1 hour.

Mr. PERLMUTTER. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentlewoman from North Carolina (Ms. FOXX), and I yield myself such time as I may consume.

#### GENERAL LEAVE

Mr. PERLMUTTER. I ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 884.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. PERLMUTTER. Mr. Speaker, House Resolution 884 provides for consideration of H.R. 3639, the Expedited CARD Reform for Consumers Act of 2009, under a structured rule. The rule self-executes an amendment to clarify that the accelerated effective date of December 1, 2009, will apply only to those provisions of the Credit Card Act that deal directly with credit cards and currently have an effective date on or after February 22, 2010.

The amendment also provides that the accelerated effective dates are not applicable to any credit card issuer which is a depository institution with fewer than 2 million credit cards in circulation as of the date of the enactment of the bill.

This rule makes in order five amendments printed in the Rules Committee report. The amendments are each debatable for 10 minutes. The rule provides for one motion to recommit with or without instructions.

Mr. Speaker, earlier this year, Congress passed and the President signed into law the Credit Card Accountability Responsibility and Disclosure Act, the CARD Act for short. This legislation ordered important new rules to credit card issuers to end unfair, exploitive, and sharp practices, and to protect consumers against the tide of arbitrary rate hikes, spiking fees, and hidden charges.

□ 1030

The bill moved to end double-cycle billing, universal default and over-the-limit fees.

We passed this bill to give Americans a fair shake. The CARD Act marked a broad overhaul in the way credit card companies do business, and I acknowledge some of these changes require no small measure of time and resources to implement. Indeed, many lenders have made an honest effort to come into compliance with these new rules.

However, Mr. Speaker, the reason I stand here today is that some lenders have not used this interim period in such good faith. Since the CARD Act was signed into law, instead of preparing to implement these consumer protection provisions, some credit card companies have raised interest rates and have decreased credit limits on their consumers in advance of the effective dates. Responsible cardholders who have regularly met monthly obligations have seen their minimum payments and interest rates arbitrarily double and triple. They are finding their credit limits slashed, and they're hit with new and hidden fees. To many consumers, this is a slap in the face, and it is a violation of the spirit of the law designed to protect them. This has now unfairly increased the financial burdens on Americans in already difficult times.

Card issuers' actions highlight the need for protections under the CARD Act now more than ever. The credit card industry requires its cardholders to act responsibly, and it holds them accountable. It is in fairness that we require card issuers to act with the same level of responsibility and accountability.

H.R. 3639 would accelerate the implementation of certain provisions in existing law related to regulations and operations of the credit card companies. The CARD Act has set deadlines for implementing various reforms and procedures, with most of those measures scheduled to take effect in February and in August of 2010. This bill would move those effective dates forward to December 1, 2009.

American consumers don't need protection next year. They need it now, so I urge my colleagues to vote in favor of the rule and in favor of the underlying bill.

I reserve the balance of my time.

Ms. FOXX. I yield myself such time as I may consume.

I thank my colleague from Colorado for yielding time for us.

Mr. Speaker, this rule provides for the consideration of a wholly unnecessary and potentially destructive bill that could further aggravate the struggles of small businesses and families who are suffering from an unavailability of credit during these times of economic uncertainty.

Here we are on the 4th of November, and the majority thinks that this bill is going to be passed in time to move this date up to December 1. It's totally unrealistic in addition to all the other comments that I'm going to make.

H.R. 3639 would accelerate the implementation of H.R. 627, the Credit Card

Accountability Responsibility and Disclosure Act of 2009, a bill that was signed into law earlier this year. I opposed the bill at that time because it took the wrong approach to addressing concerns with the credit card industry. The provisions it seeks to accelerate would impose unfunded private-sector Federal mandates, increased costs to borrowers; and it would limit the availability of credit to potential borrowers, which is just the opposite of what our colleagues think they are achieving.

These provisions are inappropriate in a credit card market that is fiercely competitive, and those who are concerned about the terms of their credit cards should rely on individual responsibility to become informed. Rather than taking the approach laid out in H.R. 627 and that which is accelerated by the bill before us today, consumers can always exercise the option of either avoiding carrying a balance or of shopping for a different credit card. Many people do not realize that credit cards were created to provide for a convenient form of payment for goods and services. They were not originally intended to serve as a loan system, which is how many people are using them now.

Mr. Speaker, I will urge my colleagues to vote "no" on the rule and to vote "no" on the underlying bill.

With that, I reserve the balance of my time.

Mr. PERLMUTTER. Mr. Speaker, I yield myself such time as I might consume.

I would say to my friend from North Carolina, in walking around the district in the suburbs of Denver, which I represent, or in doing a government at the grocery every other Saturday, a number of topics are raised. It could be the Middle East. It could be energy, health care, immigration; but always among the top five are credit cards and overdraft fees because so many people are affected by what turns out to be some sharp practices by some issuers. The purpose of the CARD Act is to stop those sharp practices.

Most of the issuers are diligent, thorough, responsible companies; but some are not. What we've seen in the interim is that those who are not have just continued to increase their prices, to increase the interest rates, and to take advantage of this interim period. It's that type of sharp practice, that irresponsible behavior, that we're trying to stop by expediting the date to December 1, 2009.

I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I yield 3 minutes to my distinguished colleague from Illinois (Mr. ROSKAM).

Mr. ROSKAM. I thank the gentlewoman for yielding.

Mr. Speaker, I rise in opposition to the rule.

In a nutshell, I think we would be much better served and, ultimately, the public would have been much better served with an open rule. I have an amendment which, under an open rule,

I would have proposed. While all of this is very interesting—talking about credit card debt and those protections—and while you can have a conversation about that, the elephant in the room is this idea of national debt.

My amendment would have simply said that income tax return forms would have been amended to have four lines on them as follows: Number one, the taxpayer's dependent shares of the national debt; the taxpayer family's share of the national debt; how much each individual's share of the national debt increased in the last year; and how much adjusted gross income would be required to meet the burden of that share in the national debt.

Here is where we are right now: this Congress and this administration have doubled the national debt in 5 years, and they will triple the national debt in 10 years. Why does that matter?

That matters because we are experiencing a feeling in this country that one generation is not passing on a legacy of prosperity to the next generation. In other words, one generation is actually stealing from the next generation. Why? Because of a lack of discipline that comes from this Chamber, a lack of discipline that says we're going to spend our way into prosperity.

What Americans understand, Mr. Speaker, is you cannot borrow and spend your way into prosperity. As to the idea that we're going to incur more and more and more debt, whether it's from a stimulus that has underperformed, whether it's on a bloated budget or whether it's on a health care bill that takes people's breath away, it's so costly, I think, by and large, Americans have said enough is enough.

So, towards that end, I rise in opposition to the rule. I think the rule is tone deaf, and it doesn't offer a larger conversation on debt.

Mr. PERLMUTTER. I yield myself so much time as I might consume.

Mr. Speaker, I always appreciate hearing from my friend from Illinois. He has a number of things he wants to talk about. The trouble is that nothing he has talked about has anything to do with the bill that's before the House today. It's completely outside the topic.

I would just say to my friend from Illinois that this country, by taking a tack under President Bush and a Republican Congress, to cut taxes, prosecuting two wars, and driving this country into an economic ditch is what we, the Democrats, are trying to build ourselves out of. It will take time, and it will take a lot of effort on the part of everyone, but he should not be so quick to blame, because the roots of this financial distress go back to the Republican Congress and to President Bush.

Now, coming back to the topic at hand, this is about credit cards and about abusive practices which hurt individual Americans. It's not some amorphous kind of question that we face. It's for people who are barely

making ends meet now, who have had good credit histories and who see their credit card interest rates rising three and four and five and six—and double sometimes—from what they were originally paying, through no fault of their own. This has got to stop.

So the purpose of the bill that is before the House today is to expedite the rules and regulations that were first passed by the House last May. It is to expedite them up to December 1, 2009.

I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I yield myself such time as I may consume.

Excuses. Excuses. Excuses. That's all we hear from the other side of the aisle. Blame. Blame. Blame. Don't take responsibility, blame George Bush. I think that's getting a little old with the American people. Excuses.

You know, this country was founded on the concept of individual freedom. That's what we were founded on and on taking responsibility. We are not in the business of blaming others, or we should not be. Our economy was doing really great until the Democrats took control of this House in 2007. You can look. We've got charts. We can show you that job growth was going on and that the economy was doing terrific. The Democrats take over, and all of a sudden everything starts going downhill.

You know, the people who take out credit cards are not having guns held to their heads. They take out the credit cards. If they don't like the rates of interest that they're paying, they should get other credit cards, but don't blame the credit card companies for extending credit to people who then are irresponsible.

All this Congress is doing is setting the example for this irresponsibility by, as my colleague from Illinois said, continuing to spend money we do not have. That is the crux of the argument. It is the largest deficit in the history of this country. In fact, it is larger than all the other deficits put together. This Congress is the example for those irresponsible people out there.

I want to talk a little bit about an article by Horace Cooper, which was printed in the May 15, 2009, issue of *Politico*, which gives the history and potential consequences of the bill before us, both of which are necessary in understanding the right approach to this issue, and I will be quoting Mr. Cooper for the next few minutes:

While most Americans take credit card use and ownership for granted, credit cards are a relatively new financial device coming in in only the past 50 years, but their widespread use is ample evidence of the value they bring to most Americans.

Their use started in the 1950s with the original Bank of America cards, which cardholders were able to use at multiple merchants. Notably, the entire balance would have to be paid off each month. Now there are more than 175 million credit card holders, and today, credit cards typically have revolving accounts, giving individual



users the ability to decide how much of their charges they wish to pay off each month.

Cooper continues by highlighting the consequences these new restrictions will have on financially vulnerable populations, stating: What the advocates of these reforms have failed to understand is that these changes will dramatically raise the costs of extending loans to cardholders and will cause the riskiest cardholders to be dropped all together, and that will hurt people in the urban community—and minorities most—because their income is lower than average.

Fees and rate hikes are among the means that credit card companies use to recoup the costs associated with credit card lending. Because credit card charges aren't secured, lenders can't seize your home or even the assets you've purchased. Credit card companies use interest rates and other fees as a way to offset the risks associated with a given cardholder.

A cap or limit on fees will cause credit card companies to limit their exposure, particularly to minorities in inner city areas, since those with low incomes are at a higher risk for default, but this won't help the rest of the credit card-holding public. Everyone will likely see lower credit lines and higher average interest rates, since these are now "forever" rates instead of adjustable ones, and shorter credit card activation periods, weeks instead of months of authorized credit use.

Particularly troubling is that even minorities, women and working class families with good records of paying their debts will see credit access dry up. This is especially bad during an economic downturn as it means that fewer new small businesses, which increasingly rely on credit cards, will start to bring more jobs and economic growth into the economy, and it will be far harder for all families, including minorities and working class families, to bridge job losses or even temporary layoffs by using credit cards to temporarily buy family staples.

□ 1045

Critics of the credit card industry fail to appreciate the alternatives that presently exist to credit card use by most Americans; payday lending, auto title loans, and pawnshops for those who wish to operate within the law, and street lamp vendors named "Rocky" for those who don't. Minority and lower income families will be disproportionately forced to these alternatives when traditional credit card access goes away.

Mr. COOPER brings to the attention of the American people some very important points. What Republicans have done is to provide an alternative measure, H.R. 2327, the Protection of Consumer Credit and Consumer Choice Act of 2009, which embodies the principles necessary to protect the availability of credit while providing consumers with the information needed to make informed decisions.

H.R. 2327, of which I am a sponsor, would require credit card issuers to provide clear and conspicuous disclosures pertaining to, one, the time provided to make timely payments; two, allocation of payments when different annual percentage rates apply to different balances of such accounts; three, increases in APRs; four, a two-cycle average daily balance method of balance calculation; and, five, fees that may be assessed at the opening of each account.

Additionally, this alternative bill would require credit card issuers to provide advanced written notice of a change in such terms before it takes effect, with certain exceptions.

With the presence of this reasonable alternative that provides sensible consumer protections, while avoiding the pitfalls of assigning a variety of new federally unfunded mandates, I urge my colleagues to vote against this rule and oppose the underlying bill.

Mr. Speaker, I reserve the balance of my time.

Mr. PERLMUTTER. Mr. Speaker, I ask my friend if she has any other speakers?

Ms. FOXX. I do not have any further speakers, but I do intend to speak a little longer on the rule.

Mr. PERLMUTTER. I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, a few minutes ago during 1-minute, one of our Democratic colleagues came in and talked about the number of "shalls" in the proposed health care bill by the Democrats and then spoke about the Ten Commandments and pointed out that the Ten Commandments liberally uses the word "shall."

I think that it is the height of arrogance to compare the outrageous 2,000-page bill written in Speaker PELOSI's office with the Ten Commandments given to us by God through Moses, whose face is looking down on us from the wall of this Chamber. That, to me, is the epitome of the arrogance of the majority party right now, saying that it is okay to have a lot of "shalls" in that because the "shalls" were in the Ten Commandments.

With Federal spending and debt already out of control, the Democrat leadership is content with putting the cost of their government takeover of health care on the Nation's credit card. Again, my friend, Mr. ROSKAM from Illinois, alluded to this a few minutes ago.

The Wall Street Journal called Speaker PELOSI's 1,990-page takeover of health care the worst piece of post-New Deal legislation ever introduced.

The Congressional Budget Office estimates that Speaker PELOSI's plan will cost \$1.055 trillion over the first decade, not \$894 billion as Speaker PELOSI claims. But the Democrats are using a procedural maneuver to include the \$245 billion "doc fix" without violating PAYGO, so the real cost of the bill is closer to \$1.3 trillion.

At more than \$1 trillion and nearly 2,000 pages, H.R. 3962 is the antithesis

of patient-centered reforms that empower Americans to truly own and control their health care coverage. The fact is, H.R. 3962 will force millions of Americans off their current coverage, hand control over medical decisions to new czars and bureaucrats, raise taxes, stifle job creation, expand entitlement spending, and break already-strained State budgets.

PELOSI's plan creates 111 new boards, bureaucracies, commissions, and programs. Americans can say goodbye to personal private insurance as individual health insurance coverage is grandfathered out of existence in section 202 and more limitations also are added to Health Savings Accounts, sections 531 and 533.

H.R. 3962 permits Federal funds to be spent on abortion services, section 222, and includes a government-run plan, section 321, that will force tens of millions of Americans off their current coverage. So much for the promise that if you like your current coverage, you can keep it.

The bill increases taxes by \$729.5 billion, including a mandate that employers provide coverage or pay a tax equal to 8 percent of wages, section 512; a 5.4 percent surtax on small businesses, section 551; and a mandate that Americans purchase government-deemed acceptable health care coverage or face a tax of 2.5 percent of modified adjusted gross income, section 501.

In navigating the new health care system, Americans will have to deal with a host of new czars and bureaucracies, including the Health Benefits Advisory Committee, section 223, the Health Choices Administration and Health Choices Commissioner, section 241.

Community organizations like ACORN may assist the Health Choices Commissioner in enrolling individuals in the Health Insurance Exchange, section 305. We all know how successful ACORN has been in enrolling people appropriately into different programs.

H.R. 3962 includes a huge expansion of the Medicaid entitlement, eligibility up to 150 percent of the Federal poverty level, but leaves already over-stretched State governments to pick up the \$34 billion tab, section 1701.

Mr. Speaker, I am mentioning these sections because I want the American people to know they can verify what we are saying simply by going to the bill and looking at it in these sections. This is not something we are making up. It is there.

To appease their trial lawyer base, Democrats continue to ignore the enormous medical liability crisis that needlessly drives up costs. They pay lip service to medical malpractice reform with money for States that pursue "effective" lawyer-friendly alternatives, section 2531, but they explicitly exclude States that limit attorney's fees or cap damages. Members of Congress are not subject to the same health care system Americans will have to live by under the public health insurance option, section 330.

The Democrats claim their bill allows for the sale of health insurance across State lines. In reality, this bill will only provide for regional compacts that States can enter into if their State legislatures approve it. However, these compacts can only exist after the Federal Government has established stringent national rules for minimum benefits and what constitutes a qualified plan, virtually eliminating the individual market and creating a national exchange, causing many to wonder how this would even be possible.

Rather than forcing through a bad bill with only limited support, the Democrats should keep working until they can get a bill that represents the opinions of most Americans and helps rather than hurts Americans.

Democrats in Congress often portray Republicans as obstructionists with no health care reform solutions of our own. This is simply not true. Republicans in Congress are listening to the American people. We know that Americans want commonsense, responsible solutions that make health insurance more affordable, reduce the number of uninsured Americans, and increase quality at a price our country can afford while making sure that Americans who like their health insurance can keep it.

We have proposed many commonsense solutions that fell on deaf ears as the Democrats in charge wrote their bill in secret. Republican Members have introduced more than 50 health care reform bills this year. House Republicans will support responsible health care reform and offer an alternative plan to PELOSI's 1,990-page, \$1.3 trillion takeover of health care.

Mr. Speaker, with that, I reserve the balance of my time.

Mr. PERLMUTTER. Mr. Speaker, how much time do I have and how much time does Ms. FOXX have?

The SPEAKER pro tempore. The gentleman from Colorado has 24 minutes remaining, and the gentlewoman from North Carolina has 12 minutes remaining.

Mr. PERLMUTTER. I just was listening to my friend from North Carolina, and she really didn't talk about the bill. She talked about health care, which is a problem that has been lingering for a long time. Republicans for 12 years in the Congress, as well as 8 years under President Bush, failed to do anything about discriminating against people with prior illnesses. This health care bill takes care of that.

They failed to deal with anything related to the increase in premiums that individuals and businesses across the country are experiencing. We are going to take care of that.

Finally, they didn't do anything with the antitrust laws that protect insurance companies, and we are going to deal with that so that there is portability.

Now, let's get back to the bill at hand. The bill at hand deals with a real problem faced by Americans every day

because companies are taking advantage of them by jacking up interest rates, continuing to use sharp practices, all to the detriment and to the harm of middle Americans. We have got to change that. So for purposes of this bill, this credit card bill, we are going to expedite the new rules to December 1. That is the purpose of the bill. That is the purpose of the underlying rule. That is why we are here today.

But with respect to the credit card bill, it is the usual Republican mantra, "Just say no, we like the status quo," just as it applies to the health care bill. "Just say no, we like the status quo."

We can't afford the status quo when it comes to credit cards. We can't afford the status quo when it comes to health care.

With that, I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I like my colleague from Colorado very much on a personal level, but let's get real: This bill is going nowhere. Republicans have an alternative bill that will do very well. And those of us here know that this bill is just a time consumer, because the Democrats have no real legislation to offer. They know this bill can't go into effect by December 1, but they need something to keep us here this week because they are trying to twist arms to get the votes for the health care bill. So we have to spend time talking about something, so this is what was brought up.

Let me say that, talking about health care now, we are doing that because we know when the health care bill does come to the floor, the almost 2,000-page health care bill, or a little over 2,000 pages, I suspect, won't get any time for discussion, not what it deserves, taking over one-sixth of the economy, because, and I quote from today's Roll Call, "House Rules Chairman Louise Slaughter, Democrat-New York, said that the rule would be locked down, allowing a vote on a Republican alternative and perhaps one other, but no additional amendments," continuing the tradition that has been going on here this entire session—no amendments, because you don't want debate on what it is we should be debating.

But let me talk a minute about the Republicans' alternative plan. It will lower health care premiums for American families and small businesses, which addresses the number one priority for health care reform of Americans. It will establish universal access programs to guarantee access to affordable care for those with preexisting conditions.

I have read part of the plan that you have. It provides for waiting lists and taking people with existing conditions out of your plan. You don't even guarantee those people coverage.

Ending junk lawsuits. The Republican plan will help end costly junk lawsuits and curb defensive medicine

by enacting medical liability reforms modeled after the successful laws in California and Texas.

It will prevent insurers from unjustly canceling a policy or instituting annual lifetime spending caps. It will encourage small business health plans. It gives small businesses the power to pool together and offer health care at lower prices, just as corporations and labor unions do. It will encourage innovative State programs. It will allow Americans to buy insurance across State lines.

It will codify the Hyde amendment. The Republican plan explicitly prohibits Federal funds, whether they are authorized funds or appropriated funds, from being used to pay for abortion. It will promote healthier lifestyles. It will enhance Health Savings Accounts, and it will allow dependents to remain on their parents' policies for a longer time.

We have alternatives, sensible alternatives, what the American people want. And I think yesterday's elections give us some idea about what the American people want.

With that, I reserve the balance of my time.

Mr. PERLMUTTER. Mr. Speaker, I yield myself such time as I may consume.

I think that my friend from North Carolina and I are going to have a lot of time on the Rules Committee to debate health care issues, so I am going to just remind her that the health care matter was never addressed by a Republican Congress and really not addressed by the President of the United States, except to create the doughnut hole for seniors. That is about the sum and substance of 12 years of Republicans in Congress and 8 years of President Bush in the White House.

□ 1100

Now, we've had three committees debate this health care bill over time, many, many amendments, lots of discussion, lots of conversations all across America dealing with the health care bill. So we're going to see that come up here very soon and we will continue to have this kind of spirited debate.

As it applies to the elections, I'm not sure if I want to remind my good friend from North Carolina that the Democrats picked up a seat in New York that they hadn't held for 154 years. So there was good news and bad news for both Democrats and Republicans in yesterday's elections.

But I would remind my friend we are here on the credit card bill. This is to move up the date for the rules and regulations to go into place to December 1 to stop the sharp practices that we see occurring today, which is the increase of interest rates, the continued use of double billing cycles, and the like, which are hurting everyday Americans. And that's got to stop.

Mr. Speaker, I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, again, as our good colleague from Illinois pointed out, the health care bill is going on

the Federal credit card and it's going to have very high interest rates, and it's something the American people want us to talk about because of its effect on the economy.

Mr. Speaker, I now yield 5 minutes to my distinguished colleague from Indiana and the Republican Conference Chair, Mr. PENCE.

(Mr. PENCE asked and was given permission to revise and extend his remarks.)

Mr. PENCE. Mr. Speaker, I rise in opposition to the rule. And while I appreciate my good friend's clarification that this rule has to do with a credit card bill that's on the floor today, I take this opportunity respectfully to speak about that issue which is foremost in the minds of the American people at this hour, and that is this freight train of Big Government moving through the Congress at a frightening speed that we believe with all our hearts will result in a government takeover of health care in America.

After months of behind-closed-doors dealings, the Democratic majority, in cooperation with the White House and special interest groups, produced late last week finally a bill. It may be amended again, Mr. Speaker, but we have a 1,990-page bill that, according to independent press estimates, includes \$1.2 trillion in new Federal spending on expanded health insurance coverage over the next 10 years. It includes \$729.5 billion in new taxes on small businesses and individuals. It is in every real sense a government takeover of health care and the burden and payment of which will be borne principally by Americans that make less than \$200,000 per year.

An independent estimate that we received yesterday, as Republicans spent hours reading the bill in our reading room, was that actually, despite the fact that as a candidate President Obama pledged that he would not raise taxes on Americans who make less than \$200,000 a year, with the Pelosi health care bill, actually the tax increases would fall most squarely on Americans making below that threshold amount. Eighty-seven percent of the taxes that are being levied in the Democrat health care bill will be paid by Americans that make less than \$200,000 a year, fees and mandates and fines and penalties falling squarely on our middle class. It's really extraordinary when you think of it that it's taking place during what is, without debate, the worst recession in a quarter of a century.

But it doesn't just stop there. When we say that it's a government takeover of health care, we are talking real numbers and real bureaucracy. Those that say otherwise ignore the fact that in this legislation there are 43 entitlement programs that are created, expanded, or extended. There are 111 additional offices, bureaus, commissions, programs, and bureaucracies that the bill creates over and above the entitlement expansions included in the prior bill.

Lastly, we all know as legislators that the word "shall" is not a friendly word when it comes in law. When the word "shall" appears in law, it means that someone must do something, a business, an enterprise, an element of the bureaucracy shall take action. The word "shall" appears in the Democrat health care bill 3,425 times. Yet the majority and the administration continue to insist that this is not a government takeover of health care? I have to tell you, Mr. Speaker, the American people are catching on and they know otherwise.

But the good news is there's an alternative. People can go to [healthcare.gop.gov](http://healthcare.gop.gov), and as has emerged in recent days, Republicans have a bill. I know our colleagues have been pointing at some blank pages on the floor in the last 24 hours, but the American people surfing the net know that the Republican bill is actually a little bit over 200 pages, allows Americans to purchase health insurance across State lines the way big businesses can, allows associations to pool their employees to bring down the cost of insurance. It brings about medical malpractice reform to end junk lawsuits and end defensive medicine in America, and we use those savings to actually strengthen those funds at the State level, those programs that cover preexisting conditions for Americans.

While the majority is focused on growing government to achieve something called universal coverage, Republicans are focused on what the American people want us to focus on, and that is lowering the cost of health insurance and lowering the cost of health care by giving the American people and American enterprise more choices, reasonable limits on litigation, and helping people with preexisting conditions.

Mr. PERLMUTTER. Mr. Speaker, I reserve the balance of my time to allow the gentlewoman from North Carolina to close and then I will close.

Ms. FOXX. Mr. Speaker, again I thank my colleague from Colorado.

He mentioned that we would be able to debate the health care bill in the Rules Committee, that we'd have a long time to do it. But the Rules Committee is the only committee in the Congress that meets behind closed doors, that does not allow C-SPAN to televise what it does, despite the fact that Barack Obama promised to have deliberations on all bills broadcast on C-SPAN and NANCY PELOSI promised the most open Congress in history. This is like the book "1984" by George Orwell. They say one thing and do absolutely another. It's doublespeak.

Mr. Speaker, I urge my colleagues to defeat the previous question so an amendment can be added to the rule. The amendment to the rule would provide for separate consideration of H. Res. 554, a resolution to require that legislation and conference reports be posted on the Internet for 72 hours prior to consideration by the House. It does not affect the bill made in order by the rule.

The amendment to the rule provides that the House will debate the issue of reading the bill within 3 legislative days. It does not disrupt the schedule.

The bill currently has 214 cosponsors. The discharge petition has 182 names, including five Democrats. This bill has gained support of an overwhelming majority of Americans and is widely respected by government watchdogs.

The existing House rule that committee reports be available for 3 days prior to floor consideration has been repeatedly waived by Republicans and Democrats alike.

This is not a partisan measure. As Members of Congress, we ought to agree that regardless of the legislation brought before us, we should always have the opportunity to read and understand the legislation before we vote. The American public agrees with this commonsense position. A recent survey by Rasmussen Reports found that 83 percent of Americans say legislation should be posted online and available for everyone to read before Congress votes on it. The poll also found that this is not a partisan issue: 85 percent of Republicans, 76 of Democrats, and 92 percent of unaffiliated voters favor posting legislation online prior to its being voted on.

In the beginning of the year, Members of this Congress, Democrat Members of this Congress, voted to spend almost \$790 billion in taxpayer dollars on a stimulus package that most Members did not even read. The enormous document wasn't posted on the government's Web site until after 10 p.m., the day before the vote to pass it was taken.

Furthermore, before the debate on the cap-and-tax bill offered last summer, the House was presented with a 300-plus-page amendment at 3 a.m. for debate the following morning and a vote the following afternoon. This was unacceptable and further demonstrated the need to read the bill and the arguments.

Mr. Speaker, we are elected to Congress to represent our constituents. How are we supposed to determine what is right for our fellow Americans if we have to vote on something before we even have time to read it?

We need to have this debate. If people oppose having the text of bills available to read, they should make their case. This amendment to the rule allows them to do just that. I urge my colleagues to defeat the previous question so we can have this debate and do the right thing for the American people.

Mr. Speaker, I ask unanimous consent to have the text of the amendment and extraneous material inserted into the RECORD prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from North Carolina?

There was no objection.

Ms. FOXX. I urge my colleagues to vote "no" on the previous question and "no" on the rule.



Mr. Speaker, I yield back the balance of my time.

Mr. PERLMUTTER. Mr. Speaker, just to correct a couple of points, TVs are always allowed in the Rules Committee, always are invited to each and every hearing and committee meeting. Sometimes they come, sometimes they don't. My guess is that they'll be there for the debate on the health care bill.

I just want to remind my friends on the other side of the aisle, in the bill that produced the doughnut hole for seniors on Medicare and was written by a Republican Congress with a Republican President, the word "shall" appeared in that bill 2,080 times.

Ms. FOXX. Would the gentleman yield for one short question?

Mr. PERLMUTTER. I will yield to my good friend for about 10 seconds.

Ms. FOXX. Do you think that two wrongs make a right?

Mr. PERLMUTTER. No. And the gentlewoman makes a point. No question about that.

But the problem here, Mr. Speaker, is that my friends on the Republican side of the aisle, they're concerned that there's too much regulation or we're focused on trying to rein in credit card companies or rein in insurance companies when it comes to health care. Their focus is on the profits of those companies. Well, our focus is on middle Americans who felt the sharp practices of credit card companies and have seen their premiums go sky high as part of the health system that we have in this country today.

Speaking about this bill, this credit card expedited bill, our purpose before the House of Representatives is to pass a rule that allows us to take up the credit card bill to move up rules and regulations to be imposed on credit card companies on December 1, 2009, instead of waiting until February of 2010 and August of 2010. The purpose is because we have seen rates being increased dramatically on all sorts of people. We see billing practice continue to be applied which hurts everyday Americans, and this has got to stop. It's not fair that the profits come before treating people honorably, responsibly, those people who have been paying their credit cards on time regularly. They're seeing their credit cards' interest rates increase. This has got to be limited and stopped.

So I would urge my colleagues to vote "yes" on the previous question and on the rule.

The material previously referred to by Ms. FOXX is as follows:

AMENDMENT TO H. RES. 884 OFFERED BY MS. FOXX OF NORTH CAROLINA

At the end of the resolution, insert the following new section:

SEC. 3. On the third legislative day after the adoption of this resolution, immediately after the third daily order of business under clause 1 of rule XIV and without intervention of any point of order, the House shall proceed to the consideration of the resolution (H. Res. 554) amending the Rules of the House of Representatives to require that legislation and conference reports be available

on the Internet for 72 hours before consideration by the House, and for other purposes. The resolution shall be considered as read. The previous question shall be considered as ordered on the resolution and any amendment thereto to final adoption without intervening motion or demand for division of the question except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Rules; (2) an amendment, if offered by the Minority Leader or his designee and if printed in that portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII at least one legislative day prior to its consideration, which shall be in order without intervention of any point of order or demand for division of the question, shall be considered as read and shall be separately debatable for twenty minutes equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit which shall not contain instructions. Clause 1(c) of rule XIX shall not apply to the consideration of House Resolution 554.

(The information contained herein was provided by the Democratic Minority on multiple occasions throughout the 109th Congress.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Democratic majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's *Precedents of the House of Representatives*, (VI, 308-311) describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Democratic majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the definition of the previous question used in the *Floor Procedures Manual* published by the Rules Committee in the 109th Congress, (page 56). Here's how the Rules Committee described the rule using information from Congressional Quarterly's "American Congressional Dictionary": "If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business."

Deschler's *Procedure in the U.S. House of Representatives*, the subchapter titled

"Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Democratic majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. PERLMUTTER. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. FOXX. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on:

Adoption of House Resolution 884, if ordered;

Suspension of the rules on H. Res. 858; and

Suspension of the rules on H. Res. 839, if ordered.

The vote was taken by electronic device, and there were—yeas 228, nays 176, not voting 28, as follows:

[Roll No. 841]

YEAS—228

Ackerman	Cohen	Gordon (TN)
Adler (NJ)	Connolly (VA)	Grayson
Altmire	Conyers	Green, Al
Andrews	Cooper	Green, Gene
Arcuri	Costa	Griffith
Baca	Costello	Grijalva
Baldwin	Courtney	Gutierrez
Barrow	Crowley	Hall (NY)
Bean	Cuellar	Halvorson
Becerra	Cummings	Hare
Berkley	Dahlkemper	Harman
Berman	Davis (AL)	Hastings (FL)
Berry	Davis (CA)	Heinrich
Bishop (GA)	Davis (IL)	Herseth Sandlin
Bishop (NY)	DeFazio	Higgins
Blumenauer	DeGette	Himes
Bocchieri	Delahunt	Hinchey
Boren	Dicks	Hinojosa
Boswell	Dingell	Hirono
Boucher	Doggett	Hodes
Boyd	Donnelly (IN)	Holden
Brady (PA)	Doyle	Holt
Bright	Driehaus	Honda
Brown, Corrine	Edwards (MD)	Hoyer
Butterfield	Edwards (TX)	Inslie
Capps	Ellison	Israel
Capuano	Ellsworth	Jackson (IL)
Cardoza	Engel	Jackson-Lee
Carnahan	Eshoo	(TX)
Carney	Etheridge	Johnson, E. B.
Carson (IN)	Farr	Kagen
Castor (FL)	Fattah	Kanjorski
Chandler	Filner	Kaptur
Childers	Foster	Kennedy
Clarke	Frank (MA)	Kildee
Clay	Fudge	Kilpatrick (MI)
Cleaver	Giffords	Kilroy
Clyburn	Gonzalez	Kind

Kirkpatrick (AZ) Nadler (NY) Sestak  
Kissell Napolitano Sherman  
Klein (FL) Neal (MA) Shuler  
Kosmas Nye Sires  
Kucinich Oberstar Skelton  
Langevin Oliver Smith (WA)  
Larsen (WA) Ortiz Snyder  
Larson (CT) Pallone Space  
Levin Pascarelli  
Lipinski Pastor (AZ)  
Loeb sack Payne  
Lofgren, Zoe Perlmutter  
Lowey Perriello  
Luján Peters  
Lynch Peterson  
Maffei Pingree (ME)  
Maloney Polis (CO)  
Markey (CO) Pomeroy  
Markey (MA) Price (NC)  
Massa Quigley  
Matheson Rahall  
Matsui Rangel  
McCarthy (NY) Reyes  
McCollum Richardson  
McDermott Rodriguez  
McGovern Ross  
McIntyre Rumpersberger  
Meek (FL) Rush  
Meeks (NY) Salazar  
Melancon Sanchez, Loretta  
Michaud Sarbanes  
Miller (NC) Schakowsky  
Miller, George Schauer  
Mollohan Schiff  
Moore (KS) Schrader  
Moore (WI) Schwartz  
Murphy (CT) Scott (GA)  
Murphy (NY) Scott (VA)  
Murtha Serrano

## NAYS—176

Aderholt Franks (AZ) Miller, Gary  
Akin Frelinghuysen Minnick  
Alexander Gallegly Mitchell  
Austria Garrett (NJ) Moran (KS)  
Bachus Gingrey (GA) Murphy, Tim  
Baird Gohmert Myrick  
Bartlett Goodlatte Neugebauer  
Barton (TX) Granger Olson  
Biggert Graves Paul  
Billray Guthrie Paulsen  
Billirakis Hall (TX) Pence  
Bishop (UT) Harper Petri  
Blackburn Hastings (WA) Pitts  
Blunt Heller Platts  
Boehner Hensarling Poe (TX)  
Bonner Herger Posey  
Bono Mack Hill Price (GA)  
Boozman Hoekstra Putnam  
Boustany Hunter Radanovich  
Brady (TX) Inglis Rehberg  
Broun (GA) Issa Reichert  
Brown (SC) Jenkins Roe (TN)  
Brown-Waite, Ginny Rogers (AL)  
Buchanan Johnson, Sam Rogers (KY)  
Burgess Jones Rogers (MI)  
Burton (IN) Jordan (OH) Rohrabacher  
Buyer King (IA) Rooney  
Calvert King (NY) Ros-Lehtinen  
Camp Kingston Roskam  
Campbell Kline (MN) Royce  
Cantor Kratoovil Ryan (WI)  
Cao Lamborn Scalise  
Capito Latham Schmidt  
Carter LaTourette Schock  
Cassidy Latta Sensenbrenner  
Castle Lee (NY) Sessions  
Chaffetz Linder Shadegg  
Coble LoBiondo Shimkus  
Coffman (CO) Lucas Shuster  
Cole Luetkemeyer Simpson  
Conaway Lummis Smith (NE)  
Crenshaw Lungren, Daniel Smith (NJ)  
Culberson E. Smith (TX)  
Davis (KY) Mack Souder  
Dent Manzullo Stearns  
Diaz-Balart, L. Marchant Sullivan  
Diaz-Balart, M. McCarthy (CA) Taylor  
Dreier McCaul Terry  
Duncan McClintock Thompson (PA)  
Ehlers McCotter Thornberry  
Emerson McHenry Tiahrt  
Fallin McKeon Tiberi  
Flake McMorris Turner  
Fleming Rodgers Upton  
Forbes Mica Walden  
Fortenberry Miller (FL) Wamp  
Foxy Miller (MI) Westmoreland

Whitfield Wittman Young (AK)  
Wilson (SC) Wolf Young (FL)  
  
Abercrombie Kirk  
Bachmann Lee (CA)  
Barrett (SC) Lewis (CA)  
Braley (IA) Lewis (GA)  
Chu Marshall  
Davis (TN) McMahon  
Deal (GA) McNeerney  
DeLauro Moran (VA)  
Gerlach Murphy, Patrick  
Johnson (GA) Nunes

## NOT VOTING—28

□ 1138

Mr. HOEKSTRA, Ms. GRANGER, Messrs. HUNTER and LATHAM changed their vote from “yea” to “nay.”

So the previous question was ordered. The result of the vote was announced as above recorded.

Stated for:

Ms. SHEA-PORTER. Mr. Speaker, during rollcall vote No. 841 on H. Res. 884, I was unavoidably detained. Had I been present, I would have voted “yea.”

Ms. CHU. Mr. Speaker, on rollcall No. 841, my pager malfunctioned and did not go off. Thus, I was not notified that votes were starting and I missed my first vote. Had I been present, I would have voted “yea.”

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

## RECORDED VOTE

Ms. FOX. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 234, noes 175, not voting 23, as follows:

[Roll No. 842]

## AYES—234

Abercrombie Cohen Grayson  
Ackerman Connolly (VA) Green, Al  
Adler (NJ) Conyers Green, Gene  
Altmire Cooper Griffith  
Andrews Costa Grijalva  
Arcuri Costello Gutierrez  
Baca Courtney Hall (NY)  
Baird Crowley Halvorson  
Baldwin Cuellar Hare  
Barrow Cummings Harman  
Bean Dahlkemper Hastings (FL)  
Becerra Davis (AL) Heinrich  
Berkley Davis (CA) Herseth Sandlin  
Berman DeFazio Higgins  
Berry DeGette Himes  
Bishop (GA) Delahunt Hinchey  
Bishop (NY) DeLauro Hinojosa  
Blumenauer Dicks Hodes  
Boccheri Dingell Holden  
Boren Doggett Holt  
Boswell Donnelly (IN) Honda  
Boyd Doyle Hoyer  
Driehaus Inslee  
Brown, Corrine Edwards (MD) Israel  
Butterfield Edwards (TX) Jackson (IL)  
Capps Ellison Jackson-Lee  
Capuano Ellsworth (TX)  
Cardoza Engel Johnson (GA)  
Carnahan Eshoo Johnson, E. B.  
Carney Etheridge Kagen  
Carson (IN) Farr Kanjorski  
Castor (FL) Fattah Kaptur  
Chandler Filner Kennedy  
Childers Foster Kildee  
Chu Kilpatrick (MI)  
Clarke Fudge Kilroy  
Clay Giffords Kind  
Cleaver Gonzalez Kirkpatrick (AZ)  
Clyburn Gordon (TN) Kissell

Kosmas Nadler (NY) Scott (VA)  
Kucinich Napolitano Serrano  
Langevin Neal (MA) Sestak  
Larsen (WA) Nye Shea-Porter  
Larson (CT) Oberstar Sherman  
Lee (CA) Obey Sires  
Levin Roybal-Allard Skelton  
Lewis (GA) Ryan (OH) Smith (WA)  
Lipinski Sánchez, Linda Snyder  
Loeb sack T. Space  
Lofgren, Zoe Shear-Porter Speier  
Lowey Slaughter Spratt  
Luján Stupak Stark  
Lynch Perriello Sutton  
Maffei Peters Tanner  
Maloney Peterson Teague  
Markey (CO) Markey (ME)  
Marshall Polis (CO) Thompson (CA)  
Massa Pomeroy Thompson (MS)  
Matheson Price (NC) Titus  
Matsui Quigley Tonko  
McCarthy (NY) Rahall Towns  
McCollum Rangel Tsongas  
McDermott Reyes Van Hollen  
McGovern Richardson Velázquez  
McIntyre Rodriguez Visclosky  
Meek (FL) Ross Walz  
Meeks (NY) Roybal-Allard Wasserman  
Melancon Rumpersberger Schultz  
Michaud Rush Waters  
Miller (NC) Ryan (OH) Watson  
Miller, George Salazar Watt  
Minnick Sanchez, Loretta Waxman  
Mollohan Sarbanes Weiner  
Moore (WI) Schakowsky Welch  
Murphy (CT) Schauer Wexler  
Murphy (NY) Schiff Wilson (OH)  
Murtha Schwartz Woolsey  
Scott (GA) Scott (VA) Wu  
Yarmuth

## NOES—175

Aderholt Franks (AZ) Miller (MI)  
Akin Frelinghuysen Miller, Gary  
Alexander Gallegly Mitchell  
Austria Garrett (NJ) Moore (KS)  
Bachus Gingrey (GA) Moran (KS)  
Baird Gohmert Murphy, Tim  
Bartlett Goodlatte Neugebauer  
Barton (TX) Granger Olson  
Biggert Graves Paul  
Billray Guthrie Paulsen  
Billirakis Hall (TX) Pence  
Bishop (UT) Harper Petri  
Blackburn Hastings (WA) Pitts  
Blunt Heller Platts  
Boehner Hensarling Poe (TX)  
Bonner Herger Posey  
Bono Mack Hill Price (GA)  
Boozman Hoekstra Putnam  
Boustany Hunter Radanovich  
Brady (TX) Inglis Rehberg  
Broun (GA) Issa Reichert  
Brown (SC) Jenkins Roe (TN)  
Brown-Waite, Ginny Johnson (IL)  
Buchanan Johnson, Sam Rogers (AL)  
Burgess Jones Rogers (MI)  
Burton (IN) Jordan (OH) Rogers (MI)  
Buyer King (IA) Rohrabacher  
Calvert King (NY) Rooney  
Camp Kingston Ros-Lehtinen  
Campbell Kline (MN) Roskam  
Cantor Kratoovil Royce  
Cao Lamborn Ryan (WI)  
Capito Latham Scalise  
Carter LaTourette Schmidt  
Cassidy Latta Schock  
Castle Lee (NY) Sensenbrenner  
Chaffetz Sessions  
Coble Lewis (CA) Shadegg  
Coffman (CO) Linder Shimkus  
Cole LoBiondo Shuler  
Conaway Lucas Shuster  
Crenshaw Lummis Simpson  
Davis (KY) Lungren, Daniel Smith (NE)  
Dent E. Smith (NJ)  
Diaz-Balart, L. Mack Smith (TX)  
Diaz-Balart, M. Manzullo Souder  
Dreier Marchant Stearns  
Duncan McCarthy (CA) Sullivan  
Ehlers McCaul Taylor  
Emerson McClintock Terry  
Fallin McKeon Thompson (PA)  
Flake McMorris Thornberry  
Fleming Rodgers Tiahrt  
Forbes Mica Tiberi  
Fortenberry Miller (FL) Turner  
Foxy

Walden	Whitfield	Wolf
Wamp	Wilson (SC)	Young (AK)
Westmoreland	Wittman	Young (FL)

## NOT VOTING—23

Barrett (SC)	Gerlach	Myrick
Boucher	Hirono	Nunes
Braley (IA)	Kirk	Rothman (NJ)
Bright	Klein (FL)	Sánchez, Linda
Culberson	Markey (MA)	T.
Davis (IL)	McMahon	Slaughter
Davis (TN)	McNerney	Stupak
Deal (GA)	Murphy, Patrick	Tierney

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1146

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. HIRONO. Mr. Speaker, on rollcall No. 842, had I been present, I would have voted "aye."

## PERSONAL EXPLANATION

Mr. KIRK. Mr. Speaker, on rollcall Nos. 841 and 842, I was unavoidably detained. Had I been present, I would have voted "nay" on rollcall 841 and "no" on rollcall 842.

## PERSONAL EXPLANATION

Mr. MCMAHON. Mr. Speaker, on rollcall Nos. 841 and 842 I was on a visit to Walter Reed. Had I been present, I would have voted "yea" on rollcall 841 and "aye" on rollcall 842.

## CONGRATULATING THE INTER-AMERICAN FOUNDATION

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 858, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. ENGEL) that the House suspend the rules and agree to the resolution, H. Res. 858.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 405, nays 1, answered "present" 2, not voting 24, as follows:

[Roll No. 843]

## YEAS—405

Abercrombie	Barton (TX)	Bonner
Ackerman	Bean	Bono Mack
Aderholt	Becerra	Boozman
Adler (NJ)	Berkley	Boren
Akin	Berman	Boswell
Alexander	Berry	Boustany
Altmire	Biggert	Boyd
Arcuri	Bilbray	Brady (PA)
Austria	Bilirakis	Brady (TX)
Baca	Bishop (GA)	Bright
Bachmann	Bishop (NY)	Brown (GA)
Bachus	Bishop (UT)	Brown (SC)
Baird	Blackburn	Brown, Corrine
Baldwin	Blumenauer	Brown-Waite,
Barrow	Blunt	Ginny
Bartlett	Bocchieri	Buchanan

Burgess	Gutierrez	McCotter
Burton (IN)	Hall (NY)	McDermott
Butterfield	Hall (TX)	McGovern
Buyer	Halvorson	McHenry
Calvert	Hare	McIntyre
Camp	Harman	McKeon
Cantor	Harper	McMahon
Cao	Hastings (FL)	McMorris
Capito	Hastings (WA)	Rodgers
Capps	Heinrich	Meek (FL)
Capuano	Heller	Meeks (NY)
Carnahan	Hensarling	Melancon
Carney	Herger	Mica
Carson (IN)	Herseth Sandlin	Michaud
Carter	Higgins	Miller (FL)
Cassidy	Hill	Miller (MI)
Castle	Himes	Miller (NC)
Castor (FL)	Hinchey	Miller, Gary
Chaffetz	Hinojosa	Miller, George
Chandler	Hirono	Minnick
Childers	Hodes	Mitchell
Chu	Hoekstra	Mollohan
Clarke	Holden	Moore (KS)
Clay	Holt	Moore (WI)
Cleaver	Honda	Moran (KS)
Clyburn	Hoyer	Moran (VA)
Coble	Hunter	Murphy (CT)
Coffman (CO)	Inglis	Murphy (NY)
Cohen	Israel	Murphy, Tim
Cole	Issa	Murtha
Conaway	Jackson (IL)	Myrick
Connolly (VA)	Jackson-Lee	Nadler (NY)
Conyers	(TX)	Napolitano
Cooper	Jenkins	Neal (MA)
Costa	Johnson (GA)	Neugebauer
Costello	Johnson (IL)	Nye
Courtney	Johnson, E. B.	Oberstar
Crenshaw	Johnson, Sam	Obey
Crowley	Jones	Olson
Cuellar	Jordan (OH)	Olver
Culberson	Kagen	Ortiz
Cummings	Kanjorski	Pallone
Dahlkemper	Kaptur	Pascarell
Davis (AL)	Kennedy	Pastor (AZ)
Davis (CA)	Kildee	Paulsen
Davis (IL)	Kilpatrick (MI)	Payne
Davis (KY)	Kilroy	Pence
DeFazio	Kind	Perlmutter
DeGette	King (IA)	Perriello
DeLahunt	King (NY)	Peters
DeLauro	Kingston	Peterson
Dent	Kirk	Petri
Diaz-Balart, L.	Kirkpatrick (AZ)	Pingree (ME)
Diaz-Balart, M.	Kissell	Pitts
Dicks	Klein (FL)	Platts
Dingell	Kline (MN)	Poe (TX)
Doggett	Kosmas	Polis (CO)
Donnelly (IN)	Kratovil	Pomeroy
Doyle	Kucinich	Posey
Dreier	Lance	Price (GA)
Driehaus	Langevin	Price (NC)
Duncan	Larsen (WA)	Putnam
Edwards (MD)	Larson (CT)	Quigley
Edwards (TX)	Latham	Radanovich
Ehlers	LaTourette	Rahall
Ellison	Latta	Rangel
Ellsworth	Lee (CA)	Rehberg
Emerson	Lee (NY)	Reyes
Engel	Levin	Richardson
Eshoo	Lewis (CA)	Rodriguez
Etheridge	Lewis (GA)	Roe (TN)
Fallin	Linder	Rogers (AL)
Farr	Lipinski	Rogers (KY)
Fattah	LoBiondo	Rogers (MI)
Filner	Loebach	Rohrabacher
Flake	Lofgren, Zoe	Rooney
Fleming	Lowey	Ros-Lehtinen
Forbes	Lucas	Roskam
Fortenberry	Luetkemeyer	Ross
Foster	Lujan	Roybal-Allard
Fox	Lummis	Royce
Fox (MA)	Lungren, Daniel	Ruppersberger
Frank (AZ)	E.	Rush
Frelinghuysen	Lynch	Ryan (OH)
Fudge	Mack	Ryan (WI)
Galleghy	Maffei	Salazar
Garrett (NJ)	Maloney	Sanchez, Loretta
Giffords	Manzullo	Sarbanes
Gingrey (GA)	Marchant	Scalise
Gonzalez	Markey (CO)	Schakowsky
Goodlatte	Markey (MA)	Schauer
Gordon (TN)	Marshall	Schiff
Granger	Massa	Schmidt
Graves	Matheson	Schock
Grayson	Matsui	Schrader
Green, Al	McCarthy (CA)	Schwartz
Green, Gene	McCarthy (NY)	Scott (GA)
Griffith	McClintock	Scott (VA)
Guthrie	McCollum	Sensenbrenner

Serrano	Sutton	Walz
Sessions	Tanner	Wamp
Sestak	Taylor	Wasserman
Shadegg	Teague	Schultz
Shea-Porter	Terry	Waters
Sherman	Thompson (CA)	Watson
Shimkus	Thompson (MS)	Waxman
Shuler	Thompson (PA)	Weiner
Shuster	Thornberry	Welch
Simpson	Tiahrt	Westmoreland
Sires	Tiberi	Wexler
Skelton	Tierney	Whitfield
Smith (NE)	Titus	Wilson (OH)
Smith (NJ)	Tonko	Wilson (SC)
Smith (TX)	Towns	Wittman
Smith (WA)	Tsongas	Wolf
Snyder	Turner	Woolsey
Souder	Upton	Wu
Space	Van Hollen	Yarmuth
Spratt	Velázquez	Young (AK)
Stark	Visclosky	Young (FL)
Stearns	Walden	

## NAYS—1

Paul

## ANSWERED "PRESENT"—2

Campbell Gohmert

## NOT VOTING—24

Andrews	Grijalva	Sánchez, Linda
Barrett (SC)	Inslee	T.
Boehner	Lamborn	Slaughter
Boucher	McCaul	Speier
Braley (IA)	McNerney	Stupak
Cardoza	Murphy, Patrick	Sullivan
Davis (TN)	Nunes	Watt
Deal (GA)	Reichert	
Gerlach	Rothman (NJ)	

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1152

Mr. FLAKE changed his vote from "nay" to "yea."

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Ms. SLAUGHTER. Mr. Speaker, I was unavoidably detained and missed rollcall vote Nos. 841, 842, and 843. Had I been present, I would have voted "aye" on rollcall votes Nos. 841, 842, and 843.

## CONDEMNING THE ILLEGAL EXTRACTION OF MADAGASCAR'S NATURAL RESOURCES

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and agreeing to the resolution, H. Res. 839, as amended.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. BERMAN) that the House suspend the rules and agree to the resolution, H. Res. 839, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mrs. HALVORSON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 409, nays 5, not voting 18, as follows:

[Roll No. 844]

YEAS—409

Abercrombie	Dahlkemper	Jackson-Lee
Ackerman	Davis (AL)	(TX)
Aderholt	Davis (CA)	Jenkins
Adler (NJ)	Davis (IL)	Johnson (GA)
Akin	Davis (KY)	Johnson (IL)
Alexander	DeFazio	Johnson, E. B.
Altmire	DeGette	Johnson, Sam
Andrews	Delahunt	Jones
Arcuri	DeLauro	Jordan (OH)
Austria	Dent	Kagen
Baca	Diaz-Balart, L.	Kaptur
Bachmann	Diaz-Balart, M.	Kennedy
Bachus	Dicks	Kildee
Baird	Dingell	Kilpatrick (MI)
Baldwin	Doggett	Kilroy
Barrow	Donnelly (IN)	Kind
Bartlett	Doyle	King (IA)
Barton (TX)	Dreier	King (NY)
Bean	Driehaus	Kingston
Becerra	Duncan	Kirk
Berkley	Edwards (MD)	Kirkpatrick (AZ)
Berman	Edwards (TX)	Kissell
Berry	Ehlers	Klein (FL)
Biggert	Ellison	Kline (MN)
Billray	Ellsworth	Kosmas
Bilirakis	Emerson	Kratochvil
Bishop (GA)	Engel	Kucinich
Bishop (NY)	Eshoo	Lamborn
Blackburn	Etheridge	Lance
Blumenauer	Fallin	Langevin
Blunt	Farr	Larsen (WA)
Boccieri	Fattah	Larson (CT)
Bonner	Filner	Latham
Bono Mack	Flake	LaTourette
Boozman	Fleming	Latta
Boren	Forbes	Lee (CA)
Boswell	Fortenberry	Lee (NY)
Boucher	Foster	Levin
Boustany	Fox	Lewis (CA)
Boyd	Frank (MA)	Lewis (GA)
Brady (PA)	Frelinghuysen	Linder
Brady (TX)	Fudge	Lipinski
Bright	Gallely	LoBiondo
Broun (GA)	Garrett (NJ)	Loeb
Brown (SC)	Giffords	Loftgren, Zoe
Brown, Corrine	Gingrey (GA)	Lowe
Brown-Waite,	Gohmert	Lucas
Ginny	Gonzalez	Luetkemeyer
Buchanan	Goodlatte	Lujan
Burgess	Gordon (TN)	Lummis
Burton (IN)	Granger	Lungren, Daniel
Buyer	Graves	E.
Calvert	Grayson	Lynch
Camp	Green, Al	Mack
Cantor	Green, Gene	Maffei
Cao	Griffith	Maloney
Capito	Grijalva	Manzullo
Capps	Guthrie	Marchant
Capuano	Gutierrez	Markey (CO)
Cardoza	Hall (NY)	Markey (MA)
Carnahan	Hall (TX)	Marshall
Carney	Halvorson	Massa
Carson (IN)	Hare	Matheson
Carter	Harman	Matsui
Castle	Harper	McCarthy (CA)
Castor (FL)	Hastings (FL)	McCaul
Chaffetz	Hastings (WA)	McCollum
Chandler	Heinrich	McCotter
Childers	Heller	McDermott
Chu	Hensarling	McGovern
Clarke	Herger	McHenry
Clay	Herseth Sandlin	McIntyre
Cleaver	Higgins	McKeon
Clyburn	Hill	McMahon
Coble	Himes	McMorris
Coffman (CO)	Hinchey	Rodgers
Cohen	Hinojosa	Meek (FL)
Cole	Hirono	Meeks (NY)
Conaway	Hodes	Melancon
Connolly (VA)	Hoekstra	Mica
Conyers	Holden	Michaud
Cooper	Holt	Miller (FL)
Costa	Honda	Miller (MI)
Costello	Hoyer	Miller (NC)
Courtney	Hunter	Miller, Gary
Crenshaw	Inglis	Miller, George
Crowley	Inslee	Minnick
Cuellar	Israel	Mitchell
Culberson	Issa	Molohan
Cummings	Jackson (IL)	Moore (KS)

Moran (KS)  
Moran (VA)  
Murphy (CT)  
Murphy (NY)  
Murphy, Tim  
Murtha  
Myrick  
Nadler (NY)  
Napolitano  
Neal (MA)  
Neugebauer  
Nye  
Oberstar  
Obey  
Olson  
Oliver  
Ortiz  
Pallone  
Pascarell  
Pastor (AZ)  
Paulsen  
Payne  
Pence  
Perlmutter  
Perriello  
Peters  
Peterson  
Petri  
Pingree (ME)  
Pitts  
Platts  
Poe (TX)  
Polis (CO)  
Pomeroy  
Posey  
Price (GA)  
Price (NC)  
Putnam  
Quigley  
Radanovich  
Rahall  
Rangel  
Rehberg  
Reichert  
Reyes  
Richardson  
Rodriguez  
Roe (TN)

Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Rooney  
Ros-Lehtinen  
Roskam  
Ross  
Roybal-Allard  
Royce  
Ruppersberger  
Rush  
Ryan (OH)  
Ryan (WI)  
Salazar  
Sanchez, Loretta  
Sarbanes  
Scalise  
Schakowsky  
Schauer  
Schiff  
Schmidt  
Schock  
Schwartz  
Scott (GA)  
Scott (VA)  
Sensenbrenner  
Serrano  
Sessions  
Sestak  
Shadegg  
Shea-Porter  
Sherman  
Shimkus  
Shuler  
Shuster  
Simpson  
Sires  
Skelton  
Slaughter  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Snyder  
Souder  
Space  
Speier

Spratt  
Stark  
Stearns  
Sullivan  
Sutton  
Tanner  
Taylor  
Teague  
Terry  
Thompson (CA)  
Thompson (MS)  
Thompson (PA)  
Thornberry  
Tiahrt  
Tiberi  
Tierney  
Titus  
Tonko  
Towns  
Tsongas  
Turner  
Upton  
Van Hollen  
Velázquez  
Visclosky  
Walden  
Walz  
Wamp  
Wasserman  
Schultz  
Waters  
Watson  
Watt  
Waxman  
Weiner  
Welch  
Westmoreland  
Wexler  
Whitfield  
Wilson (OH)  
Wilson (SC)  
Wittman  
Wolf  
Woolsey  
Wu  
Yarmuth  
Young (AK)  
Young (FL)

## EXPEDITED CARD REFORM FOR CONSUMERS ACT OF 2009

The SPEAKER pro tempore. Pursuant to House Resolution 884 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 3639.

□ 1201

### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3639) to amend the Credit Card Accountability Responsibility and Disclosure Act of 2009 to establish an earlier effective date for various consumer protections, and for other purposes, with Mr. PAS-  
TOR of Arizona in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Massachusetts (Mr. FRANK) and the gentleman from Texas (Mr. HENSARLING) each will control 30 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Chairman, I recognize for 4 minutes the prime mover of this bill, the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY. I thank the gentleman for yielding.

Mr. Chairman, I rise in strong support of H.R. 3639, the Expedited CARD Reform for Consumers Act of 2009. I thank the chairman of the Financial Services Committee, BARNEY FRANK, for his leadership on this issue and so many others, and Senator DODD for championing this issue in the Senate.

This bill would simply move up the effective date of the remaining provisions of the Credit Card Reform Act, which we passed earlier this year, from February 2010 to December 1, 2009, just in time for the holiday shopping season.

It is truly unfortunate that we are on the floor today having to take this step, but the credit card companies brought it on themselves. Rather than use the months after the date that it was signed into law in May to update their systems to get ready for the new reforms, they have used this time to raise interest rates unfairly at any time and for any reason on consumers retroactively on their balances, capturing many of them in never-ending cycles of debt. They are practicing the double-cycle billing, charging rates on interest that has already been paid and raising rates for unrelated reasons. Consumers are justly outraged, and they have come to their Congress Members and to this Congress asking for relief.

Just last week, the Pew Foundation issued a report that showed that interest rates have shot up by 20 percent—the average interest rate is 20 percent—and 90 percent of all credit card

NAYS—5

Bishop (UT)  
Campbell

Franks (AZ)  
McClintock

Paul

NOT VOTING—18

Barrett (SC)  
Boehner  
Braley (IA)  
Butterfield  
Cassidy  
Davis (TN)  
Deal (GA)

Gerlach  
Kanjorski  
McCarthy (NY)  
McNerney  
Moore (WI)  
Murphy, Patrick  
Nunes

Rothman (NJ)  
Sanchez, Linda  
T.  
Schrader  
Stupak

### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1200

So (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□ 1200

### GENERAL LEAVE

Mr. FRANK of Massachusetts. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on H.R. 3639 and insert extraneous material thereon.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

debt that is out there has had an interest rate increase since the President signed the bill into law.

The Pew report also found that 100 percent of bank cards were using practices that the Federal Reserve has called unfair, deceptive, and anti-competitive. This troubling information followed report after report from other not-for-profits, from other Members of Congress, from our constituents, and from the news media that have showed that interest rates have climbed 18 percent—in some cases 30 percent—for absolutely no reason for customers that are paying on time and not going over their limit.

The original implementation date for the bill that I proposed was 90 days after enactment, but many Members of this body wanted to give the credit card companies more time to implement the reforms to get their systems in place, yet they have used this time to gouge consumers and to raise rates. We had ended up, in deliberations with the bill, with a staged implementation rate, that in August of 2009 a notice would go in of 45 days of any rate increases, but the bulk of these reforms would go into place in February of 2010. What we are doing is moving this date up by 5 months, giving relief and protection to consumers and working to help them.

The extraordinary breadth and depth of the interest rate hikes that consumers are suffering from speak to the importance of passing this important bill. I thank my colleagues on both sides of the aisle that have been supportive, and especially to the chairman.

Mr. HENSARLING. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I do not believe there is ever a good time to enact a bad law. And unfortunately, although there are some good provisions in the underlying credit card legislation, ultimately many of us predicted that if it passed, credit would become more expensive and less available to millions of Americans, and that's exactly what we see.

Now, the good part of the bill is, clearly, there have been misleading and deceptive practices by some credit card companies. We need to have better disclosure, more effective disclosure so people understand the credit relationships in which they enter. But, Mr. Chairman, we are in the midst of a huge credit contraction that's taking place today; jobs are being lost and people are having trouble accessing credit for their personal lives and for small businesses. Unfortunately, ultimately this underlying legislation on which one of three effective dates is moved up—or two of the three effective dates are moved up by the bill that is before us—will essentially exacerbate that trend. In many respects, Mr. Chairman, I hate to say I told you so, but we told you so. And so, again, all we're going to do is make a bad situation worse.

Already we have seen, for example, a recent article in *USA Today*, let me quote from it, October 23, "Curtis Arnold, founder of *creditratings.com*, said he expected credit card issuers to raise annual fees after the legislation was enacted." Sure enough, Mr. Chairman, that's exactly what we see.

Let me quote from *The Wall Street Journal*. "Other issuers, such as Bank of America, JPMorgan Chase Card Services, and Discover, recently converted customer fixed rates to variable ones."

New York Times, "Now Congress is moving to limit the penalties on riskier borrowers"—which is exactly what the underlying legislation did, Mr. Chairman. Let me continue on—"who have become a prime source of billions of dollars in fee revenue for the industry. And to make up for the lost income, the card companies are going after those people with sterling credit."

So now we also find out—again, from *USA Today*—that starting next year Bank of America will charge a number of customers an annual fee ranging from \$29 to \$99. We see that, in the same article from *USA Today*, Citigroup has started charging annual fees to cardholders.

And so, again, Mr. Chairman, we have the testimony. Many of us predicted this. As I said way back in March, make no mistake about it, if this bill passes, it's going to be a lot harder for people to access the credit they need to pay their bills, cover medical emergencies, or finance large purchases.

And so all over America people are getting these notices in the mail—including the Hensarling family of Dallas, Texas, where all of a sudden I've seen our own interest rates skyrocket from 15 percent to 23 percent. And with very few exceptions, my wife and I pay our balance in full at the end of the month. It's the half of America that pays their bills on time, in full that are now having to subsidize those who don't through an act of Congress.

So I think we all agree, nobody likes what's happening in America, but the question is, who's responsible? I believe this underlying piece of legislation is exacerbating a huge credit contraction that's already taking place in the economy.

And, Mr. Chairman, it just couldn't come at a worse time. I mean, as we know, apparently on Friday or Saturday this body will vote on a huge government takeover of our health care bill which could cost easily, even according to CBO, over \$1 trillion that ultimately has to be paid for by the American people.

We've seen estimates again that premiums will rise, particularly for young, healthy people, young, healthy people who may be getting these notices in the mail today that all of a sudden maybe their credit cards have been yanked and maybe their interest rates have gone up. At the same time

when we are staring in the face of an over \$1 trillion health care bill, a bill that could impose a 2.5 percent penalty, again, on young people who may not be able to afford insurance, but they could be penalized 2.5 percent. Well, if you take away their credit cards, how are they going to be able to pay the 2.5 percent tax if they don't buy the government improved health insurance?

Mr. Chairman, how about small businesses? If small businesses find that their credit cards have their interest rates skyrocket or taken away, how are they going to be able to pay the 8 percent pay-or-play tax which is in the Pelosi government takeover of health care bill?

How about the other surcharge that would go to a number of small businesses, supposedly raising half a trillion dollars? Again, we know a lot of small businesses access credit through credit cards. So if we take an underlying bad bill that's exacerbating a credit crunch and all we do is accelerate the effective date, I mean, how, again, are tens of thousands of small businesses going to be able to pay the 8 percent new pay-or-play tax in the Pelosi takeover of our health care system bill?

How about the 2.5 percent medical device tax, or the 2.5 percent what some are calling the "wheelchair tax"? Again, a number of our seniors rely on credit cards. Now they have Medigap policies. They need those credit cards for medical expenses, especially if the majority is about to impose a 2.5 percent wheelchair tax upon the American people.

Why are we going to pass a bill, again, in the middle of a huge credit contraction that is only going to exacerbate the matter, make matters worse, take away credit cards, make interest rates go up, make credit less available and more expensive at a time when we are threatened with this \$1 trillion government takeover of health care legislation?

□ 1215

Again, I want to emphasize, Mr. Chairman, that there is at least one good part of the legislation, which is that we do need effective disclosure and that we need competitive markets. But when you start taking away the ability of companies to price for risk, the people who do it right end up bailing out a number of people who don't, and those who don't—and for some of whom it may not be through any fault of their own—find that they no longer have credit opportunities at a time when many are facing a 2½ percent tax if they don't buy the government-improved health insurance. They are facing a 2½ percent tax if they need a wheeled chair, maybe even a replacement hip. I suppose that's also defined as a "medical device" under the Pelosi government takeover of our health care system legislation. Small businesses face the 8 percent pay-or-play tax.

Again, even if you thought that the underlying legislation was good, how could the timing not be worse?

If you were to ask the American people, number one, if those who pay their bills on time shouldn't be punished for those who don't, and of those who don't, if they had a choice of paying a higher interest rate or of having their credit cards taken away from them, my guess is a number of them would choose the higher interest rate.

But Congress has taken that decision away from them by enacting the underlying bill, if we choose to enact this bill, which will simply hasten what is already a bad process which is making credit less available and more expensive to thousands of small businesses and to millions of Americans as we're facing a government takeover of our health care system.

I reserve the balance of my time.

Mr. FRANK of Massachusetts. Mr. Chairman, demonstrating that we bear no ill will to those who have deserted us, I yield 2 minutes to a former member of the committee, the gentlewoman from California (Ms. LEE).

Ms. LEE of California. Let me thank the gentleman for yielding. I will say I do miss you and miss serving on your committee, but I want to thank you for your leadership and for everything you're doing to try to help shepherd our economic recovery.

Mr. Chairman, let me just say how pleased I am to support H.R. 3639, the Expedited CARD Reform for Consumers Act.

I have to thank Congresswoman MALONEY and you for following through on the promise that you made. I don't know if you remember this, Mr. Chairman, but on the floor, you made a promise to Congressman WATT and to me on April 30, which is when the House passed these critical protections for credit card holders. I had gone to the Rules Committee to actually put this 90-day deadline back into the CARD legislation via an amendment, but I did withdraw my amendment based on the assurances of the chairman that, in his words, if banks are using the time—and this is what you said, Mr. Chairman—to take advantage of consumers and if they're trying to get in some last licks before the rule goes into effect, we would speed up the date. The banks are certainly getting in some last licks.

I just want to thank you, Mr. Chairman, for following up on your promise and on your commitment, because the situation is really desperate for so many people.

We all have constituents who have been really shocked by their banks or by their credit card companies which have suddenly raised their rates on already existing balances without notice and without any negative activity on a consumer's credit report. We have all read the news reports about the initiation of all sorts of new fees on transactions: charging consumers who are paying their bills on time and these in-

activity fees. I guess they charge you for doing nothing at all.

The CHAIR. The time of the gentlewoman has expired.

Mr. FRANK of Massachusetts. I yield the gentlewoman 1 additional minute.

Ms. LEE of California. Clearly, the banks pleaded for just a little extra time to fully implement these new reforms. They're using that time to pad their profits at the expense of American families. This is unconscionable. It really is immoral. We should be totally outraged about this practice.

So I have to thank you again, Chairman FRANK, Congresswoman MALONEY and Mr. WATT, for your commitment to consumer rights and for your hard work on this very vital reform. Hopefully, consumers now will get the justice that they deserve.

Mr. HENSARLING. Mr. Chairman, in order to help equalize the time, I continue to reserve the balance of my time.

Mr. FRANK of Massachusetts. I yield 3 minutes to an active Member, who also filed a very good piece of legislation to this bill, the gentlewoman from New York (Mrs. LOWEY).

Mrs. LOWEY. I rise in strong support of the bill, and I want to thank Chairman FRANK for bringing this very important bill to the floor.

Mr. Chairman, deceptive credit card practices allow one hidden fee to snowball into ballooning interest rates and into \$1,000 balances that many families, which are struggling to get by, cannot afford. When the President signed the Credit CARD Act into law, some companies tried to beat the clock by imposing predatory finance charges on consumers. That's why I am so pleased that, in working with Chairman FRANK and with Congresswoman MALONEY, I introduced legislation accelerating the implementation date.

The enactment of this bill will protect our constituents who cannot afford to be hit with abusive new fees or interest rate hikes. It will also accelerate other consumer protections, including a provision I cosponsored to require additional disclosure on the dangers of making only minimum payments.

So I really do want to commend the chairman and the gentlewoman from New York for their important work. I urge their support. As far as my constituents are concerned, this bill can't be passed soon enough.

Mr. HENSARLING. Mr. Chairman, I yield as much time as he may consume to the ranking member, the gentleman from Alabama (Mr. BACHUS).

Mr. BACHUS. I thank the gentleman from Texas.

I rise today in opposition to this legislation.

Mr. Chairman, let me start by saying that this bill moves up the effective date on the underlying credit card bill, and that credit card bill is not a major bill. Unlike the health care bill, unlike the climate control bill, or the cap-and-tax bill, and unlike the systemic

regulation bill, this bill addressed one thing and one thing only, and that was credit cards. We passed it 5 months ago. When we passed it, there were all these prophecies of wonderful things that were going to happen to consumers.

We Republicans stood on the floor of this House, and we said there needed to be changes in this bill. We said, if this bill passed in its present form, which it did, that the cost of credit would increase for consumers. We said there would be limits placed on their credit lines.

Sure enough—and I take no pleasure in saying this—5 months later, after President Obama signed this legislation, the so-called Credit CARD Act, into law, credit tightened. Consumers every day are facing notices in the mail that their credit rates are going up from 6 and 8 percent to 20-something percent. American Express and others have said they're going to start charging \$100 fees. These are so-called unintended consequences. As a result of this legislation, we're seeing many consumers facing the cancellation of their credit cards, millions in fact. Regrettably, those warnings have come true.

Small businesses, which rely heavily on consumer credit, are also feeling the credit crunch. They're the main creators of jobs in our country—small businesses. They need credit. According to the National Small Business Association, 79 percent of those small businesses which were surveyed just recently said that credit card lending standards have tightened dramatically in the last few months and that their credit lines are being decreased materially.

The new credit card restrictions are exacerbating the economic crisis and the loss of jobs, and they are causing the shutdown of a key source of financing for small businesses and, therefore, job creation.

Small businesses are the engine of our economy. They're the number one job creators. Of all businesses, they rely the most on credit cards and on credit lines from those credit cards. We shouldn't have restricted their ability to obtain credit. They need it to expand and to create jobs.

This original bill came at just the wrong time. We could have stopped the abusive practices; but at the same time, we went beyond that and restricted the ability of credit card companies to protect themselves from people who didn't pay their credit card bills. That's really the essence of why this bill is not working, because we protected those who didn't pay their credit card payments. They're who are protected. We did some other good things, but we did that; and that was a mistake.

Now, don't take my word for it as to the fact that this present legislation—and let me say this: it's very unlikely. This is sort of a charade because, I think, most of us realize that this legislation is not going to be enacted into



law. It's December 1 now. I mean, it takes effect December 1. The Senate, I don't think, will even pick it up by December 1. Maybe they will. Maybe they will.

If they do, I think the warning of Chairman Bernanke is appropriate. When asked about the feasibility of enacting the provisions of the bill we're now considering, here is what Chairman Bernanke said—and Chairman Bernanke is often quoted by the Members on the other side of the aisle:

The board continues to believe that, given the breadth of changes required by the Credit CARD Act and its regulation, card issuers must be afforded sufficient time for implementation to allow for an orderly transition and to avoid unintended consequences, compliance difficulties, and potential liabilities.

Well, we've seen those unintended consequences: no credit cards where people had credit cards and a country in which we had the most ability to have credit cards and the choices in credit cards at the lowest interest rates. That is beginning to change before our eyes.

All of us share the goal of protecting consumers from unfair and deceptive credit card practices and of ensuring that cardholders receive useful and complete disclosures so that they have sufficient time to pay their cards and so that they aren't subjected to double-cycle billing, but we must be careful. Let this bill be a lesson to us, in trying to protect consumers or the government's intervening into these practices, that we do not impose new costs on them or on the U.S. economy as a whole. Just like the Speaker PELOSI health care plan we may consider later this week, this bill limits choice; it rations credit; it decreases costs; and it strangles innovation.

According to recent studies, as many as 114 million Americans will lose their current health insurance coverage under the Democrats' health plan. Now, that's even more serious than the few million who have lost their credit cards under this legislation. Likewise, several million consumers will lose their credit cards or will see their credit lines severely restricted by this legislation.

If there is one common denominator in Congress this year, it's the substitution of the government for the individual: with the stimulus, with the multiple bailouts, with the climate change legislation, with this credit card bill, with financial reform, and now, later this week, with health care. Instead of you making the choice, the government is making the choice for you.

The United States of America is the world's largest economy. It's three times larger than our closest competitor, Japan; and it's larger than the economies of Japan, China, Germany, and of Great Britain combined. We got there through innovation. We got there through choice. We got there through

competition. We got there through individual initiative and responsibility, not through government control and management.

As we've seen time after time, when you substitute a government-controlled and -run program for individual choice, the cost goes up and the quality goes down. When it comes to health care, there is nothing more important than quality and choice. Given the choice, I'll always place my faith in the individual, not in the government; and this time is no different. It is no different with the credit card legislation. It is no different with the health care legislation.

□ 1230

Mr. Chairman, let me conclude by saying many of my colleagues in this body, both Republicans and Democrats, are going to come in and they are going to vote for this legislation today. They are going to do so really, many of them, because of the underlying legislation and the animosity and the bad feelings it has created with the American people, who are seeing their credit lines limited and their interest rates raised. The American people are upset, and this bill is an attempt, I think, almost to cloud why those interest rates are going up.

We need to help families, we need to help businesses that are struggling in this economic recession, and we need to create jobs. And, as we said 5 months ago, that was exactly the wrong time to saddle them with additional fees, higher interest rates, limit their credit lines and add significant new compliance burdens to our community banks. That was true 5 months ago on credit cards. We have seen the unintended results.

We are going to vote on health care. Those results will be even more serious and more drastic. You will see a greater cost of health care. You will see a diminished quality. You will see rationing of care. We warned about unintended consequences 5 months ago. Those warnings weren't heeded. We are warning again, but this time we are dealing with a far more serious issue, and that is the quality of health care in America, the affordability of health care, and the ability to get services in this country that are not offered in other countries.

Mr. FRANK of Massachusetts. Mr. Chairman, I intend to close and I have no further speakers, so I reserve my time.

Mr. HENSARLING. Mr. Chairman, I assume the chairman of the full committee has the right to close?

The CHAIR. Yes, he does.

Mr. HENSARLING. The chairman having said he has no other speakers, in that case, I will close for our side.

Again, we have no great pleasure in saying "I told you so," but I think it is important before this body decides to accelerate a problem that is exacerbated by this body, they should take full import of their actions and the consequences.

As I said back in June, we must remember that every restriction, every limit, every regulation, has a high probability of making credit less accessible, less affordable and more costly, and, unfortunately, Mr. Chairman, that is exactly what we see today.

In a recent article in *The Wall Street Journal*, we read, In the past 2 years, credit card lines have been cut by over \$1.25 trillion. During the same time, 10 percent of all credit card accounts have been canceled.

Again, we know, Mr. Chairman, that our constituents are feeling this pain as they get these notices in the mail. Let me go back to the article: According to the most recent Federal Reserve data, small business lending is down 3 percent, or \$113 billion, from fourth quarter 2008.

Mr. FRANK of Massachusetts. If the gentleman would yield, someone on our side who said she wanted to speak has since come on the floor. I just wanted to alert the gentleman that I will not be the final speaker. I will be yielding one more time before I close.

Mr. HENSARLING. Reclaiming my time, I appreciate the chairman keeping me informed.

Again, Mr. Chairman, what we have seen is what I believe to be a number of unintended consequences that have taken place in this legislation. We were warned about this.

We heard from, for example, the ABA, who testified at the committee back in March, Restrictions on repricing higher risk accounts means two things. Number one, that higher risk customers will likely see less credit available to them; and, two, since the higher risk customers do not bear the full cost of the risk they pose, lower risk customers will bear some of the added cost.

We heard back in December of 2008 from Oliver Ireland of the Morrison and Forester law firm: The effects of this are going to be pretty severe. People are going to see either some combination of rising prices or a reduction in the availability of credit by either cutting lines or simply not making credit available.

Again, Mr. Chairman, we have been warned. Julie Williams, chief counsel for the OCC, who testified before our committee back in April of 2008: The risk mitigation tools used by credit card lenders to address changes in the credit risk profile of customers may include freezing or reducing credit lines, closing accounts, shortening account expiration dates and repricing for outstanding balances on the account. I could go on and on.

We have been warned, Mr. Chairman. We see it happening. We hear the anecdotal evidence. We see the statistical evidence. Again, I fear that although there are some good aspects of the legislation, that ultimately, ultimately, in the midst of a huge credit contraction, that what we will see is credit become even less available and more expensive, at a time when many of our constituents need it most.

Again, this has to be put into the context of the larger legislation that this body will consider this week, according to the Speaker of the House, and that is the government takeover of our health care system.

We know that on page 297, section 501 of that bill, there is a 2.5 percent tax imposed on all individuals who do not purchase the government-approved health insurance, which clearly applies to people making less than a quarter million dollars a year, which seems to contravene a campaign commitment that was made by our President.

We also see that there are new taxes on medical devices, a 2.5 percent excise tax. Again, many call this the wheelchair tax. But as our constituents are finding it more and more difficult to access credit cards, when they are having their credit cards cancelled, when they are seeing their interest rates rise, how are they going to be able to pay the 2.5 percent medical device tax in this \$1 trillion piece of legislation?

Mr. Chairman, I hear from my constituents. I hear from the Farmer family of Athens who wrote to me once, Dear Congressman, more than once we have put medical bills on our credit cards. Two years ago, my middle son had to have cervical surgery. I split the cost of the surgery, doctors and hospital. It took my husband and me about a year to pay off that particular debt, but we did it at a low rate of interest since our credit is good. I am just thankful for having the means to help my son.

Now, what do I go back and tell the Farmer family of Athens? Well, Congress decided to pass a piece of legislation; that although your credit is good, you are going to have to start paying more for people whose credit isn't good. The next time you have a medical emergency or challenge in your family, I don't know if that credit card will be there for you.

That is a tragedy, Mr. Chairman, as, again, we continue to have this huge credit contraction. And, again, when we are looking at this \$1 trillion government takeover of our health care legislation that on page 336, section 551, imposes a half a trillion dollar surcharge, supposedly just on the wealthy, but if you read the fine print what you figure out is that half of that is going to be paid by small businesses. So you could have a \$534 billion surtax imposed in this government takeover of health care legislation, and as you impose this, again, how is small business going to be able to afford to pay this surcharge if on their credit cards their interest rates continue to rise and their availability to access credit continues to erode? I don't understand it.

Then the more visible tax on small business, page 313, section 512 of the government takeover of health care bill imposes an 8 percent tax on employers who can't afford to purchase the government-approved health insurance. Now, according to the National Federation of Independent Business,

such a mandate could cost 1.6 million jobs in the next 5 years. So, if you lose your job and we are making credit more expensive and less available, Mr. Chairman, I just ask the question, how is this supposed to improve the Nation's health care?

So we have to take a look at the underlying credit card legislation and how it is going to impact our constituents as we go forward, perhaps on Friday or Saturday, to vote on this other legislation.

We also know, Mr. Chairman, that in the government takeover of our health care bill, that there are at least 43 new entitlement programs that are either created, expanded or extended in the bill.

Now, is somebody going to tell me that doesn't make health care more expensive? And if it makes health care more expensive, how are Americans who are losing their credit cards supposed to pay for the \$1 trillion takeover of our health care system?

In addition, there are 111 new offices, bureaus, commissions, programs and bureaucracies that the bill will put between Americans and their doctors. Are you going to tell me, besides rationing health care, that somehow that is going to make health care less expensive? I don't believe so.

If it doesn't make health care less expensive, and I haven't found anybody to come to this floor to tell me that this 1,990-page bill costing the American people over \$1 trillion is somehow going to make their health care less expensive, so if it doesn't make their health care less expensive, why would we want to support legislation that, again, has the impact and effect of taking away millions of Americans' credit cards or artificially raising their interest rates? I don't get it.

Mr. Chairman, in this \$1 trillion government takeover of our health care system bill, we have 3,425 uses of the word "shall" representing new duties, new obligations, new mandates on individuals, businesses and States, which, oh, by the way, is double the number that we saw in the last iteration of the government takeover of our health care system bill.

Okay. So if we have 3,425 different mandates in this bill, is that somehow going to make our health care less expensive? I don't believe that. I don't believe the American people believe that. And, again, Mr. Chairman, if it doesn't make our health care less expensive at a time when our Nation has just achieved its first \$1 trillion deficit in our history, when this Congress has enacted a spending plan that will triple, triple the national debt in the next 10 years, that is even before the \$1 trillion government takeover of our health care bill comes to the floor, how can we pass a piece of legislation making credit less available and more expensive?

I urge rejection of the bill.

I yield back the balance of my time.

Mr. FRANK of Massachusetts. How much time remains on the other side?

The CHAIR. All of the time has expired of the gentleman from Texas.

Mr. FRANK of Massachusetts. Well, that is nice.

As I told the gentleman, the gentleman from Texas (Ms. JACKSON-LEE) is recognized for 2 minutes.

Ms. JACKSON-LEE of Texas. I thank the chairman of the Financial Services Committee and my dear friend from New York, Congresswoman MALONEY.

It is interesting, listening to my good friend on the other side, but what I would offer to say is we are now debating a bill that most Americans are crying out for. As we go into the season of giving, and many, many holidays, where Americans all over the Nation and all over the world, frankly, will be looking to share their generosity, if you will, but they are facing a steep mountain to climb. So the Expedited CARD Reform for Consumers Act allows us to push back on many credit card companies that have availed themselves of the opportunity to raise interest rates by hearing about the potential implementation of this bill in 2010, August 2010, and decrease the credit limits on their consumers before the effective date.

Mr. Chairman, we didn't do this. Credit card companies who saw the writing on the wall, rather than working with consumers in a way that would encourage purchasing in a responsible manner, they did the complete opposite.

So I am very glad to be a cosponsor of this legislation that expedites good things, providing increased written notice to consumers of any increases in interest rates or otherwise makes a significant change in the terms of the credit card account. That is simple fairness.

I am glad to be on the side of informing consumers of their right to cancel the card before the rate hike goes into effect. I am glad to be on the side of the consumer that prohibits arbitrary interest rate increases and universal default on existing balances. I am glad that college students will not be, if you will, caught in the crosshairs of paying for their college tuition while paying high interest rates on credit cards that they use.

Finally, let me say we are being fair to the credit card companies. We require penalty fees to be reasonable and proportional to these same credit companies. Let me just say, this is a good bill for America.

□ 1245

Mr. FRANK of Massachusetts. Mr. Chairman, I yield 1½ minutes to a very important member of our committee, the gentleman from Minnesota (Mr. ELLISON).

Mr. ELLISON. I thank the chairman and Congresswoman MALONEY, who have been champions for consumers.

I rise today to strongly urge my colleagues to vote in favor of H.R. 3639, the Expedited CARD Reform for Consumers Act of 2009.

Earlier this year, the Congress voted overwhelmingly to pass comprehensive credit card reform legislation that was subsequently signed into law by President Obama. Unfortunately, the credit card companies have used the past few months to push through last-minute rate hikes and other unfair practices before the law kicks into gear. To address this problem, this bill simply moves up the effective date for the remaining credit card reforms from February 22, 2010, to December 1 of this year.

I want to thank Congresswoman MALONEY and Chairman FRANK for their leadership in expeditiously bringing this bill to the floor.

The actions of the credit card companies over the past few months have amply demonstrated that the American consumer needs quick relief from punitive and unfair credit card practices. The time to act on these important reforms is now. For too long, the credit card industry has been subject to too few regulations and far too little oversight.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield myself such time as I may consume to close.

I want to begin by addressing the role of small business. The gentleman from Texas said this would be unfair to small business. The gentleman from Alabama said this credit card bill, the underlying bill and the speedup, would be a problem for small business.

On April 30 of this year when we voted on the underlying bill, we received the following letter from the National Federation of Independent Business, generally considered to be the most representative and forceful advocate for small businesses:

"On behalf of the NFIB, the Nation's leading small business advocacy organization, I urge you to support H.R. 627, the Credit Cardholders' Bill of Rights. While credit cards provide an important source of credit for many small business owners, our members are troubled by some of the business practices utilized by card companies."

"H.R. 627 ends unfair penalties on cardholders who pay on time, requires 45 days' notice of interest rate increases, prohibits arbitrary interest rate increases, and establishes industrywide definitions for common terms to deter deceptive marketing advertising. These provisions can protect small business owners' credit by giving them enough notice to pay off debt and shop for competitive credit."

"While our members favor the credit card reforms in H.R. 627, we are mindful that credit cards pay for approximately \$1 of every \$6 of sales small businesses make. We believe this legislation does not unduly punish credit card companies in these tough economic times but limits business practices that harm small business credit cardholders."

I wonder how we could be told how bad this is for small business when the National Federation for Independent

Business says it would, in fact, do exactly the opposite and protect credit cardholders.

We also heard, of course, some debate on other issues such as health care, and the gentleman from Alabama in particular blamed the Obama administration for bailouts. I don't want to dwell too much on things not before this bill, but let me reiterate a point that I do not think can be even debated, certainly not refuted. Every single activity of the Federal Government now being carried on that some people have characterized as a bailout was initiated by the administration of President George Bush. President Bush's Secretary of the Treasury and his chairman of the Council of Economic Advisers, his appointees, and the President himself were the ones who initiated the funding of AIG by the Federal Reserve. They came to us and asked for the TARP program. They were the ones who first gave money to General Motors and to Chrysler. There is literally nothing now going on called a bailout that the Obama administration did not inherit from George Bush.

Now, I suppose the Obama administration could have just pulled the plug on all these ongoing operations and caused chaos and blamed the previous administration. It did not do that. But literally everything going on now that is called a bailout is an inheritance from the Bush administration.

Now, the gentleman from Alabama also quoted the Federal Reserve in saying don't speed it up. And he said, well, people sometimes quote Mr. Bernanke one way or another. Well, he just did it. In the first place, the gentleman from Alabama and the gentleman from Texas have their major quarrel with the Federal Reserve because the Federal Reserve, on its own, under its regulatory power, promulgated regulations very similar to this bill. The sequence is interesting. The gentleman from New York, as she often is, was the first one out of the box on the consumer protection here, but after the gentleman from New York began discussions on this bill in our committee, the Federal Reserve moved.

So it seems odd to cite the Federal Reserve and say you believe them when they say there are difficulties in speeding it up when you are fundamentally opposed to the Federal Reserve's basic action here. The Federal Reserve agreed with this House that regulations were needed to protect consumers. It is a set of regulations promulgated by the Federal Reserve that are as strongly opposed by the other side as are our regulations.

By the way, in quoting the Federal Reserve even on the speedup, they did express some concerns. They also said, however, the board cannot predict how an effective date of December 1 would affect credit card interest rates and credit availability. However, moving the CARD Act's effective date to December 1, 2009, would mean that consumers would receive important bene-

fits and protections earlier. So they invoke the Federal Reserve and they invoke small business despite the protestations of both of these organizations that they disagree fundamentally with the Republican position.

Now let's talk about substance. The single biggest piece of this—and they say it prevents the poor credit card companies, the poor beleaguered banks. They warned us that if we tried to stop them from behaving irresponsibly, they would speed irresponsible behavior. Yes, they did. But that should not be allowed to be a deterrent against stopping them from doing things.

And what this fundamentally does, the single best, biggest thing, is it says this: If you have used your credit card to buy things at a rate that you were told was binding and you have made all your payments on time for years and you have been running a credit card balance, as the credit card companies want you to do—I know if you have a credit card and you pay it off every month, they don't like that because they're not getting the interest. But at any rate, if you have fully complied with all the terms of the credit card and you have made purchases and incurred debt at a given interest rate and you have made every payment you were supposed to make on time, they have retained the right unilaterally and retroactively to raise the interest rate on what you already owe them. It is the single unfairer economic transaction I can think of that doesn't involve a pistol. The fact is that they decide they can make more money that way.

We're told they have to deal with risk management. What's the risk on debt already incurred on the part of someone who's always made the payments? This isn't risk management. This is hostage taking. This is raising money after the fact.

Now, it's true they told you that when they sent you the contract. It is true that if you have very good vision and a very high boredom threshold and nothing else to do but read pages and pages of small print, you might have figured that out if you spoke lawyerese. But for most people, the notion that you take your credit, you were told that this is the interest rate, you buy things at that interest rate, you incur debt, and they then say, oh, by the way, you know that rate that was at 8 percent, retroactively it's now 12 percent.

This bill doesn't prevent them from going forward with appropriate notice for raising rates. It absolutely does not. It says they can't do it retroactively and they have to give you some notice so they cannot trap you.

It also says that if you mail the bill at a certain time, you are not subject to their saying, oh, by the way, something happened to your payment, we don't know what, and you're going to have to pay extra. All the burden of any misplaced bill falls on you, the payer, not them, the payee.

Let me last say here's a problem. We have had a pattern of abuse. The National Federation of Independent Business and the Federal Reserve agreed with us that there was a pattern of abuse. Members on the other side said, oh, no, these credit card companies, wonderful people. They're just trying to help you out and they are simply trying to give you credit, and if they raise your rates retroactively, that's in your own best interest. Trust us. That's so you don't have to pay higher rates down the road.

So we said we're going to stop these practices. They then said you can't do it right away, it's very complicated, give us some time. So we gave them time, more than I wanted to at the time. They then used that time not to calibrate so they would be ready for the effective date but to start to jack up the rates.

But I reject the notion, first of all, that people who are engaging in abusive practices, as the credit card companies were, according to us, according to the National Federal of Independent Business, according to Federal Reserve, hardly radical Obamaistic organizations, they should not be allowed to stop it by saying but if you try to make things better, we're going to blow things up in advance. We should not give into those kinds of facts. In fact, I reject the notion that we caused any of this. Nothing they have done couldn't have been done without the bill, and they were doing it. All they did was to use this bill as an excuse for doing what they were trying to do anyway.

So we have here a reasonable bill that will prevent them from imposing things retroactively, that will require some notice going forward, that will fairly allocate the risk of a late payment, and that's what we are talking about. And we are talking about speeding up the date. They have many months to get ready for this.

And let me say this: They tell us, oh, my goodness, it's so hard to recalibrate. But you know what? They have very odd computers over there. Maybe they've got great software. They've got software that works perfectly when they want to raise rates, but if they want to hold rates constant, the software goes berserk. Maybe we can implore the software makers to give them some software that works both ways, because they are able to raise people's rates retroactively in violation of what people thought were their contractual rights, very quickly, but they aren't able to get ready to be giving people a 45-day notice before they raise their rates going forward. And the 45-day notice is so that you can say, okay, I will go through one more billing cycle and I don't want them anymore. I will go to shop. What we have here is what we had in April.

By the way, I don't want to be unfair to the entire Republican Party. Individual Members—it's okay, but not to the entire party. Many Republicans

voted for this bill. Those who were speaking in opposition to it clearly were not representative of their whole party last time. And what we have, though, is the leadership from the Financial Services Committee of the Republican Party coming firmly to the defense of the credit card firms, telling us that what they were doing was out of economic necessity. They really don't want to raise these rates but they are just forced to do it by sound risk management.

We believe, along with the National Federation of Independent Business and the Federal Reserve and every consumer group that's looked at it, that exactly the opposite is the case. They have abused the time that they asked for because they said it was for getting ready and they used it to do precisely the things the bill will stop them from doing. I, therefore, very much hope that this bill is adopted.

Mr. Chairman, I yield back the balance of my time.

Mr. AL GREEN of Texas. Mr. Chair, I extend my support to H.R. 3639, the Expedited CARD Reform for Consumers Act of 2009, and thank my dear friend from New York, Ms. MALONEY, for introducing this important legislation, and Chairman FRANK for expediting it out of committee.

On May 22, 2009, President Obama signed into law the Credit Card Accountability, Responsibility, and Disclosure Act to protect consumers from the most egregious abuses that were being committed by credit card companies. Today, the important legislation before us readdresses this issue and proposes to move up the effective date of certain provisions of the Credit CARD Act to December 1, 2009. I would like to take this time now to express my support for the passage of this legislation.

Today, levels of consumer debt are at an all time high. The most recent data from the 2007 Survey of Consumer Finances shows that half of American families carried a balance on their credit cards and the average balance was \$7,300. Add to this amount the debt secured by a primary residence or other consumer and installment loans, and the average American family is hard-pressed to meet these financial obligations.

Many of my colleagues here in Congress and I are concerned about how the current state of the economy is affecting the ability of ordinary Americans to service these high levels of debt. In September, the Bureau of Labor Statistics reported the American economy lost 260,000 jobs. Without work, most families could not afford to service these loans.

The days of easy and exotic credit are over. American families must work themselves out of debt and back into the black. We, as lawmakers, have been tasked with the job of enacting laws and enforcing fair rules that allow people to use credit cards and other financial services made available to them in a safe and responsible way. We are about to do just that today.

The Expedited CARD Reform for Consumers Act of 2009 is good policy for Americans everywhere. It fulfills our promise of establishing protections against abusive practices in the financial services industry and reaffirms our commitment to helping ordinary

consumers responsibly manage their finances by ensuring that the choices available to them are fair and safe. I am proud to support H.R. 3639 and urge my colleagues to assure its passage.

Mr. HOLT. Mr. Chair, I rise today in strong support of the Expedited CARD Reform for Consumers Act of 2009, which would establish earlier effective dates for various consumer protections established by the Credit Card Accountability Responsibility and Disclosure Act, Credit CARD Act, enacted earlier this year. I commend Chairman FRANK and Ms. MALONEY for their leadership in bringing this bill to the floor today.

To be clear, my strong support does not stem from any concern that the implementation deadlines set forth in the Credit CARD Act as enacted were ill-conceived or too lax. Indeed, I assume we all thought they were reasonable, and most of us probably still do. What was unreasonable was the punitive, abusive, and—frankly—shameful behavior of some credit card issuers in the wake of enactment of the Credit CARD Act. I have been besieged with letters from outraged constituents, and I'd like to share some of those with you:

Chase Bank . . . [just increased my interest rate] from 9.99% to 16.24% a 62.5% increase. They are making it harder and harder for Americans to pay-back our loans during this economic downturn. I have never missed a payment! . . . Please help!!!

I just received a letter from my Citi Bank Master Card (which my husband and I always pay on time) stating that my interest rate is being raised to 29.99%. My research shows that Citi Bank is slipping this rate increase in before the new Credit Card Act takes effect. This is an outrage to so many people like myself.

Most of the major banks have hiked interest rates on customers' balances, increased penalty fees or doubled minimum payments since the bill was passed in May. . . . The banks are using this lag time before the implementation date to sneak in as many rate hikes and new fees as possible, and countless good customers who pay on time each month are suffering.

I think a reality check is in order. The reality is that many credit card issuers have been abusing their customers. Had they been treating them fairly, there would have been no need for, and no call for, legislation to reign in and prohibit those abusive practices. Another reality is that many of those same credit card issuers behaved recklessly and imprudently, as a result of which they put their own survival in jeopardy and had to come to the American taxpayers hat in hand just to stay afloat. Had those financial institutions managed their own affairs responsibly, they wouldn't have had to rely on the good graces of hard working Americans to stay in business. So where does that leave us? They abused their customers, they compromised their own financial stability, they took their customers' charity to regain that stability, then they retaliated against their customers when the government stepped in told them they had to stop abusing their customers. The whole situation is just plain astounding.

Even so, it is always important to tailor one's response carefully to the actual facts and circumstances. For example, not all credit card issuers abused their customers in the first place. And not all credit card issuers retaliated against them in the wake of enactment of the Credit CARD Act. And as I noted previously, the original implementation deadlines

for the bill were reasonable—we would not have passed it that way if they weren't.

Therefore, although I heartily support this bill and urge my colleagues to do the same, I also offered an amendment to make it stronger, and to fine-tune its application. My amendment would have given credit card issuers the ability to opt out of the expedited implementation schedule set forth in this bill, and win back the right to comply with the bill in accordance with the reasonable schedule we set forth originally, under one of two circumstances.

Any creditor that could have demonstrated that it did not implement detrimental account changes against its customers on or after the date the Credit CARD Act was enacted would have been entitled to implement the bill in accordance with its original implementation schedule. This would insulate the well-behaved credit card issuers from the penalty this bill imposes, because the penalty is only being imposed in response to the bad behavior of other credit card issuers. This is not only fair, it is better for the economy. Expediting application of the implementation deadlines is going to cause disruptions in service and interruptions in the extension of credit, at precisely the same moment we go into the busiest shopping period in the annual cycle. Therefore, any credit card issuers that can justifiably be spared the requirement that they comply with the Credit CARD Act much more rapidly than originally intended, should have been spared.

With respect to credit card issuers that already penalized their customers, preventing them from penalizing any others does not do anything to help the ones they already penalized. Therefore, my amendment would have allowed those institutions to "buy back" the right to implement the bill in accordance with its original deadlines if they could demonstrate that they reversed all of the penalties they imposed in the wake of enactment of the Credit CARD Act. Because they will have a fresh record of the interest rates, minimum payments, and penalty fees they just got through increasing, they should expeditiously have been able to reverse those and restore their customers to their pre-Credit CARD Act terms and conditions. Only an actual roll-back can help the consumers whose terms and conditions were already detrimentally changed, and only a strong incentive such as re-applying the original deadline structure would have incentivized any bank to agree to it. But to the extent they would have, this too would have been a boon to the economy, because all customers whose minimum monthly payments go back down would have that much more to spend as we go into the holiday season.

My amendment simply created options. Any institution that fits one of the foregoing descriptions could have availed itself of the option. If they did, well-behaved banks would have been protected, injured consumers would have been restored to their pre-injury terms and conditions, and in each case the economy would have been stimulated. In addition, in each case, my amendment would have provided that implementing any detrimental changes to customer accounts after the exemption was awarded but before the bill is fully implemented would result in immediate revocation of the exemption. I believe the amendment would have made the bill stronger, and applied it more deftly and equitably to

the circumstances. But without it, the banks will implement the bill as of December 1, and consumers will be provided the protections we enacted for them last spring that much sooner.

I commend Chairman FRANK and my colleague Mrs. MALONEY again for offering this bill, and I urge my colleagues to support it.

Mr. MEEK of Florida. Mr. Chair, I rise today in full support of the Expedited CARD Reform for Consumers Act of 2009. When the CARD Act came to the floor in April, I rose in support of the bill but was frustrated by the delay in its implementation. I am pleased that this bill makes that correction and puts the CARD Act into effect before the winter holidays, when so many consumers will need the protections that the act creates.

My Statement for the RECORD in April on the CARD Act discussed the need to bring immediate relief to consumers. While expediting the implementation of the CARD Act is a strong first step, I believe we must continue to do more. Consumers desperately need legislation that will allow them to make informed financial decisions and protect them from unfair lending and banking practices. Despite, or perhaps because of the impending enactment of the CARD Act, banks are continuing to charge substantial penalty rates and fees, and raking in over \$19 billion from these fees.

With the average American's credit card debt reaching nearly \$10,000 in 2007, consumers are in real need of not only protection from unfair fee impositions, but in need of information as well. I am supportive of the CARD Act because it requires consumers to opt-in to over-limit fees at one time for each credit card they have. I believe this is the first step in helping consumers make more informed financial decisions.

Our next step should be to put in place a mechanism to inform consumers at the point that a debit transaction to their checking or savings accounts will result in an overdraft and attendant fees. Consumers should be able to make financial decisions with real-time information at their fingertips. By giving consumers the ability to elect whether or not to perform a transaction that will result in overdraft and the attendant fee on any given transaction, they are given the power to make responsible decisions and many won't have to worry about starting in the red at the beginning of every month.

Consumers should be financially empowered, not defenseless against the whims of credit card issuers. I am pleased to support this bill which works to do that by halting these unfair fee practices and allowing individuals to set their own credit limits, so they don't unwittingly accumulate debt they can't possibly get out of. It also protects those who do make their payments on time, preventing them from being charged interest on debts paid during the grace period. And it gives consumers real information about the financial consequences of their decisions, by showing them the interest they are paying and have paid, and the length of time it will take to pay off the debt at the minimum monthly payment rate.

Consumers are being hit on all sides, with unfair credit card fees, overdraft banking fees and rising costs of goods and services. We must continue to work to protect consumers as financial institutions look to them to make up money lost in the economic downturn. I know I will continue to work hard on my legislation to bring financial relief to millions of

Americans through bank abuse protections, and other efforts Chairwoman Maloney makes to protect consumers and small businesses from unfair lending.

I support the Expedited CARD Reform for Consumers Act of 2009 and urge its final passage.

Ms. MCCOLLUM. Mr. Chair, I rise today to express my strong support for the Expedited CARD Reform for Consumers Act, H.R. 3639, which will accelerate the effective date for recently enacted credit card reforms to December 1, 2009.

Millions of American families have become trapped in a never-ending cycle of debt due to "double-billing" and other dubious credit card industry practices. On May 22, 2009, President Obama signed into law the Credit Card Accountability Responsibility and Disclosure Act, the CARD Act, P.L. 111–24, to end unfair and anticompetitive practices.

In the months following enactment of this law, many credit card companies have attempted to circumvent reforms by raising interest rates and decreasing credit limits on their customers before the reforms take effect in early 2010. According to the Pew Charitable Trusts, interest rates on over 90 percent of all outstanding credit card balances in the United States increased during the first 6 months of this year. This is totally inexcusable and evidence of why strong consumer protections in the credit card industry are needed.

H.R. 3639 accelerates the effective date of the CARD Act reforms while making sensible exceptions for small credit card issuers and prepaid gift cards. I am a co-sponsor of H.R. 3639 and I voted in support of the rule to allow its consideration on the House floor. Unfortunately, I was unavoidably detained when the final vote was taken. Had I been present, I would have voted in favor of passage.

Mr. BLUMENAUER. Mr. Chair, I have been dismayed for many years now about the performance of some of our financial institutions in the way they treat our citizens. There are too many examples of recent banking history that reveal too many tales of abuse and greed.

Americans pay around \$15 billion in penalty fees every year. Credit card contracts seem to be drafted not to inform, but to confuse. Mysterious fees appear on statements. Payment deadlines shift. Terms change and interest rates rise arbitrarily.

In May, the President signed the Credit Cardholders' Bill of Rights Act into law, shielding credit cardholders from these widespread abusive practices. That law allowed the credit card companies a grace period to adjust their business practices to the new law. Rather than use this time to prepare for the new consumer protections and procedures, many credit card companies accelerated their aggressively targeted tactics to vulnerable consumers.

In a comprehensive survey of credit card practices, the Pew Charitable Trusts found that in the first half of 2009, credit card rate increases ranged from 13 to 23 percent; that 100 percent of credit cards used practices labeled "unfair or deceptive" by the Federal Reserve and none of these cards would meet the standards of the new laws; and that even while the Federal Reserve is promulgating new consumer-oriented standards for penalties, credit card companies are charging substantially higher penalties.

The Expedited CARD Reform for Consumers Act marks a step forward in bringing consumers badly needed relief by moving up the effective date for nearly all of the credit card reforms to December 1, 2009.

Too many Oregonians, like students and families across the country, are heavily burdened by credit card debt. I support this bill because it requires fair terms and it levels the playing field by increasing consumer protections. Not a moment too soon.

Mr. LANGEVIN. Mr. Chair, I rise in strong support of H.R. 3639, the Expedited Card Reform for Consumers Act. I am proud to be a cosponsor of this measure, which would move the effective date of the remaining provisions of the Credit CARD Act of 2009 up to December 1, 2009. This law provides tough new protections for consumers by banning unfair rate increases, abusive fees and penalties, and strengthening enforcement.

So far this year, I have hosted three telephone town halls. During every call, I have received numerous inquiries from constituents asking when Congress is going to put an end to outrageous interest rates, hidden fees, and other deceptive practices by credit card companies that have gone on for far too long.

While credit card companies argued that they needed several months to implement certain provisions included in the Credit CARD Act, many of them have instead taken advantage of this lag time, and their customers, by raising minimum payment amounts and interest rates, decreasing limits, and closing accounts without proper notification. The Pew Charitable Trusts' Safe Credit Cards Project recently reported that every one of the 12 largest bank issuers that control ninety percent of credit card outstanding balances nationwide had at least one provision that is labeled "unfair or deceptive" by the Federal Reserve, and they would not meet the tough provisions of the Credit CARD Act.

The actions of these companies highlight the need for the consumer protections we passed into law to take effect as soon as possible. I have heard from too many of my constituents that have experienced these deceptive practices to let this go on any longer. A longstanding cardholder who makes payments on time each month and who is struggling in this economic downturn should not be subjected to a company's attempts to rake in some last-minute revenue before they are forced to abide by the new laws.

Mr. Chair, we must continue our work to put an end to the tricks and traps used by credit card companies to undermine a competitive market. I encourage all my colleagues to vote for H.R. 3639. I would also like to thank Congresswoman MALONEY and Chairman FRANK for their hard work on this issue and bringing this measure to the floor.

Mr. POLIS. Mr. Chair, I rise in support of H.R. 3639, the Expedited CARD Reform for Consumers Act. I would like to thank Chairman FRANK and my colleagues on the Financial Services Committee for bringing us this consumer protection bill. I would also like to acknowledge and thank my friend from New York, Representative MALONEY, for introducing this legislation and her continued dedication to protecting consumers and ensuring the availability of credit.

Earlier this year in response to outrageous abuses of customers, both the Senate and the House passed H.R. 627, the Credit Card Ac-

countability Responsibility and Disclosure Act or the CARD Act. The reforms that we passed and were signed by the President were carefully designed with input from consumer advocacy groups and the financial services industry. We established an implementation date of February 22 to give the entire industry—and particularly credit unions and community banks—ample time to make the necessary adjustments to comply with the new regulations. This additional time was designed to ensure that these institutions, which have been on the side of their consumers, would be able to continue to offer credit cards.

Community Banks and Credit Unions were not responsible for the egregious consumer abuse that required the CARD Act, nor are they the reason that we must pass H.R. 3639 today. Rather, it was the larger institutions, many of whom are receiving public assistance, who took this grace period as an opportunity to double down on the very unconscionable behavior that prompted the action of this body. Their actions were made worse as they occurred in the context of a national recession, when many people found themselves resorting to credit to make ends meet, with salaries and work hours increasingly cut back.

Mr. Chair, my constituents are tired. They see the joblessness caused as the house of cards built by Wall Street collapsed on to Main Street. They have grown impatient with an industry that required unprecedented taxpayer assistance, only to have the very institutions return the generosity of the public with unfair and unannounced interest rate hikes. This behavior is beyond unprofessional, it is beyond irresponsible, and it can only be defined in one way: un-American.

Let me be clear, I do not think the resources of this body are best used by micro-managing any industry. I have consistently supported—and even introduced—legislation that moves private business out of public stewardship as quickly as possible.

But Mr. Chair, when credit card issuers prove they cannot honor their obligation to their customers and fellow Americans, then it is incumbent upon this Congress to act.

The bill we have before us today is simple. By moving the implementation date of the policies we have already supported to December 1st, we say in clear language that the days of credit card companies financing their excess and recklessness on the dime of taxpayers and their customers are over.

To my colleagues, I offer that in joining me in support of this measure, we also speak to our constituents. We tell them that we agree that the bailouts and capricious interest rate hikes are akin to a double taxation, and that this will no longer be tolerated.

Finally Mr. Chair, as we approach the holiday season and Americans prepare to travel and buy gifts for their loved ones—giving themselves a well deserved break from what has been a trying year economically—moving the enforcement of the fair credit reforms we have agreed upon to December 1st will result in increased consumer confidence. Our nation's retailers will benefit from the public being able to shop with the security that a present for a loved one in December won't result in an unwelcome and expensive surprise in January.

Mr. Chair, today we have an opportunity to accelerate the economic and social benefits of the CARD Act. Today we have an opportunity

to expedite a return of a decent level of consumer confidence. I ask my colleagues to join me in seizing this opportunity by voting for H.R. 3639.

I would once again acknowledge and thank Chairman FRANK, Representative MALONEY, the members of the Committee on Financial Services, and their staffs for their continued efforts on the issue of fair consumer credit and for this bill. I ask for the quick passage of this bill.

Mr. VAN HOLLEN. Mr. Chair, last Spring, I stood before this body to speak in support of the Credit Card Act of 2009. The bill outlawed predatory and exploitative behavior such as targeting college students regardless of their ability to make payments, shifting due dates so as to trigger penalties and other deceptive practices. I was proud to be a cosponsor of the bill. Even then, however, I argued that the bill should take effect immediately.

Today, I rise in support of H.R. 3639, the Expedited CARD Reform for Consumers Act which moves up the Credit Card Act's implementation date. Accelerating the implementation of this bill is necessary because too many card issuers are taking advantage of the act's February implementation date and increasing fees and the interest rates of their customers.

As the Credit Card Act of 2009 was taking shape, many banks expressed concern that, without time to make the logistical and accounting adjustments necessary to accommodate such a dramatic policy shift, consumers would end up shouldering an increased financial burden in the form of higher fees and diminished access to credit. In light of this concern, we established February 2010 as the date the bill would go into effect. But, to our disappointment, many banks used the time between the President's signing the bill in May and its scheduled implantation in February to increase the exploitative practices the bill was intended to prevent.

According to a recently released report by the Pew Charitable Trust, in which they studied credit card activity in the wake of the Credit Card Act, not only have many credit cards companies continued to use practices deemed "unfair and deceptive" under Federal Reserve guidelines, in some cases these practices increased.

I have personally received reports from my constituents that, despite having solid credit histories and long relationships with their card issuers, they were contacted by banks after the Act passed and approached with the Hobbesian choice of accepting either a reduced credit line or an increase in front end interest rates. When they called the companies to complain, they were told that there was nothing they could do and that they should call their Member of Congress. Well, they did call their Members of Congress and this is our response.

I urge my colleagues to join me in supporting H.R. 3639.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute printed in the bill, modified by the amendment printed in part A of House report 111-326, is adopted. The bill, as amended, shall be considered as an original bill for the purpose of further amendment under the 5-minute rule and shall be considered read.



The text of the bill, as amended, is as follows:

H.R. 3639

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Expedited CARD Reform for Consumers Act of 2009”.

**SEC. 2. EARLIER EFFECTIVE DATE FOR THE CREDIT CARD PROVISIONS OF THE CREDIT CARD ACT OF 2009.**

Section 3 of the Credit Card Accountability Responsibility and Disclosure Act of 2009 (15 U.S.C. 1602 nt.) is amended—

(1) by striking “This Act” and inserting “(a) IN GENERAL.—This Act”; and

(2) by adding at the end the following new subsections:

(b) **CERTAIN CREDIT CARD PROVISIONS.**—Except as otherwise specifically provided in this Act, titles I, II, and III, and the amendments made by such titles, shall take effect on December 1, 2009.

(c) **CERTAIN CREDIT CARD ISSUERS.**—Except as otherwise specifically provided in this Act and notwithstanding subsection (b), the effective date established under subsection (a) shall apply with respect to the application of titles I, II, and III, and the amendments made by such titles, to any credit card issuer which is a depository institution (as defined in section 19(b)(1)(A) of the Federal Reserve Act) with fewer than 2,000,000 credit cards in circulation as of the date of the enactment of this Act.”.

**SEC. 3. EARLIER EFFECTIVE DATES FOR SPECIFIC PROVISIONS TO PREVENT FURTHER ABUSES.**

(a) **REVIEW OF PAST CONSUMER INTEREST RATE INCREASES.**—Section 148(d) of the Truth in Lending Act (15 U.S.C. 1665c(d)) (as added by section 101(c) of the Credit Card Accountability Responsibility and Disclosure Act of 2009) is amended—

(1) by striking “9 months after the date of enactment of this section” and inserting “December 1, 2009, except that for a depository institution, as defined in section 19(b)(1)(A) of the Federal Reserve Act (12 U.S.C. 461(b)(1)(A)), with fewer than 2 million credit cards in circulation on the date of the enactment of the Expedited CARD Reform for Consumers Act of 2009, the effective date shall be February 22, 2010,”; and

(2) by striking “become effective 15 months after that date of enactment” and inserting “take effect on December 1, 2009, except that for a depository institution, as defined in section 19(b)(1)(A) of the Federal Reserve Act (12 U.S.C. 461(b)(1)(A)), with fewer than 2 million credit cards in circulation on the date of the enactment of the Expedited CARD Reform for Consumers Act of 2009, the effective date shall be August 22, 2010”.

(b) **REQUIREMENT THAT PENALTY FEES BE REASONABLE AND PROPORTIONAL TO THE VIOLATION.**—Section 149(b) of the Truth in Lending Act (15 U.S.C. 1665d(b)) (as added by section 102(b) of the Credit Card Accountability Responsibility and Disclosure Act of 2009) is amended—

(1) by striking “9 months after the date of enactment of this section,” and inserting “December 1, 2009, except that for a depository institution, as defined in section 19(b)(1)(A) of the Federal Reserve Act (12 U.S.C. 461(b)(1)(A)), with fewer than 2 million credit cards in circulation on the date of the enactment of the Expedited CARD Reform for Consumers Act of 2009, the effective date shall be February 22, 2010,”; and

(2) by striking “become effective 15 months after the date of enactment of the section” and inserting “take effect on December 1, 2009, except that for a depository institution, as defined in section 19(b)(1)(A) of the Federal Reserve Act (12 U.S.C. 461(b)(1)(A)), with fewer than 2 million credit cards in circulation on the date of the enactment of the Expedited CARD Reform for Consumers Act of 2009, the effective date shall be August 22, 2010”.

The CHAIR. No further amendment to the bill, as amended, is in order except those printed in part B of the report. Each further amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

□ 1300

AMENDMENT NO. 1 OFFERED BY MR. HENSARLING

The CHAIR. It is now in order to consider amendment No. 1 printed in part B of House Report 111-326.

Mr. HENSARLING. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 1 offered by Mr. HENSARLING:

Page 7, after line 18, insert the following new section:

**SEC. 4. CLARIFICATION THAT 45-DAY DELAY DOES NOT APPLY TO REDUCTIONS IN INTEREST RATES AND FEES.**

Subsection (i) of section 127 of the Truth in Lending Act (15 U.S.C. 1637) (as added by section 101(a)(1) of the Credit CARD Act of 2009) is amended by adding at the end the following new paragraph:

“(5) **CLARIFICATION.**—No provision of this subsection shall be construed as preventing any creditor from putting any reduction in an annual percentage rate, any decrease or elimination of any fee imposed on any consumer, or any significant change in terms solely or primarily for the benefit of the consumer into effect immediately.”.

The CHAIR. Pursuant to House Resolution 884, the gentleman from Texas (Mr. HENSARLING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. HENSARLING. Mr. Chairman, certainly we had a spirited debate on the underlying legislation. I do want to thank the chairman for his efforts for allowing this particular amendment to be made in order. I have always feared that on a number of pieces of legislation that Congress enacts that it is always fraught with unintended consequences. I believe I stumbled across one of those unintended consequences.

I believe it was last week, perhaps the week before, that I was contacted by one of my constituents who had received a credit card offer in the mail that offered him a better interest rate than the interest rate his current credit card offered; but because of a number of other provisions, he wanted to keep his current credit card.

So he called his credit card company and said, Would you match this other deal on the interest rate? I want to stay with you, but will you match this interest rate? He was told by whatever voice was on the other end of the 1-800 number, We would like to match your interest rate, and we will match your interest rate, but we cannot do it for 45

days under a law recently enacted by Congress.

Now, I certainly don't believe that was the intent of the majority, but clearly the language in the underlying bill is being interpreted by some credit card companies to prevent them from lowering rates or lowering fees without a 45-day notice. Again, I do not believe that was the intention of the majority, and they may have written their bill thinking they had taken care of that. But, clearly, the language is sufficiently ambiguous for some companies that they do not feel that they can actually lower interest rates or lower fees or cancel fees or do something that almost every single individual in this body would interpret as only, only benefiting the consumer.

So, Mr. Chairman, my simple amendment would provide a clarification that no provision in the subsection shall be construed as preventing any creditor from putting any reduction in an annual percentage rate, any decrease or elimination of any fee imposed on any consumer or any significant change in terms solely or primarily for the benefit of the consumer into effect immediately.

So, again, what I believe the majority was trying to do would be preserved, and I think what they were trying not to do and, that is, certainly I do not believe it is their intent to have consumers wait for 45 days for lower interest rates. Again, I grant you, in this economic environment, it is not a common occurrence, but apparently it does occur or this constituent wouldn't have called me in the first place.

So I believe it is a simple amendment. Again, I hope it takes care of an unintended consequence. I fear there are many other unintended consequences, but this is one that it would take care of, and I would certainly urge all Members of the body to adopt the amendment.

Again, I thank the chairman for making sure that this particular amendment was made in order.

I yield back the balance of my time.

Mr. FRANK of Massachusetts. Mr. Chairman, if there is anybody opposed to this amendment, I would yield. But in the absence of anybody who is opposed, I will take the time.

The CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. FRANK of Massachusetts. I support the amendment. The gentleman from Texas is a very careful legislator. We disagree a lot. And there were times when I had wished he wasn't as careful as he is, but he is absolutely right in this case. Let me go a step further: this may get entangled, this bill and broader things. If that should happen, I would be prepared, if nothing else worked, to break out this particular amendment at a later date and do it by suspension and hopefully do it unanimously because it, clearly, shouldn't be that way.

So I thank him for calling it to our attention, and I hope the amendment is

adopted. Let me just say that I will be asking for a roll call. Mr. Chairman, I am intending to vote for it; but as you know, one doesn't always ask for roll calls simply because one has an issue on that amendment.

I will yield to the gentlewoman from New York.

Mrs. MALONEY. I join the chairman in congratulating our colleague on the other side of the aisle for this amendment. I think it's a good one. I support it. If credit cards want to decrease interest rates for their customers, there is absolutely no reason that they should have to wait 45 days. We certainly accept it. The problems that we are trying to address in our underlying bill today are the increases that are coming at any time, for any reason without notice. This is a good amendment, and I accept it.

Mr. FRANK of Massachusetts. I take back my time. In fact, in the spirit of conciliation, let me extend to my friends, if I have any left in that industry, a willingness to even allow them to decrease it retroactively for 45 days, not just waive it prospectively.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. HENSARLING).

The question was taken; and the Chair announced that the ayes appeared to have it.

Mr. FRANK of Massachusetts. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

AMENDMENT NO. 2 OFFERED BY MRS. MCCARTHY OF NEW YORK

The CHAIR. It is now in order to consider amendment No. 2 printed in part B of House Report 111-326.

Mrs. MCCARTHY of New York. I have an amendment at the desk made in order under the rule.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 2 offered by Mrs. MCCARTHY of New York:

Page 7, after line 18, insert the following new section:

**SEC. 4. MORATORIUM ON INCREASES IN RATES AND FEES AND CHANGES IN TERMS TO THE DETRIMENT OF THE CONSUMER.**

Notwithstanding any other provision of this Act or any amendment made by this Act, subsection (b) of section 164 of the Truth in Lending Act (as added by section 104(4) of the Credit Card Accountability Responsibility and Disclosure Act of 2009 (Public Law 111-24)) shall not take effect until February 22, 2010 for any creditor with respect to an existing credit card account under an open end credit plan, or such a plan issued on or after the date of enactment, as long as the creditor does not—

(1) increase any annual percentage rate, fee, or finance charge applicable to any existing or future balance, except as permitted under subsection 171(b) of the Truth in Lending Act (as added by Public Law 111-24); or

(2) change the terms to the detriment of a consumer, including terms governing the re-

payment of any outstanding balance, except as provided in section 171(c) of the Truth in Lending Act (as added by Public Law 111-24).

The CHAIR. Pursuant to House Resolution 884, the gentlewoman from New York (Mrs. MCCARTHY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York.

Mrs. MCCARTHY of New York. Mr. Chairman, I thank Chairman FRANK and his committee staff for working with me and Congresswoman MARKEY on this amendment. It has not gone unnoticed that some credit card issuers have used this time before the pending effective date of the Credit Card Accountability Responsibility and Disclosure Act of 2009 to raise interest rates and reduce credit for some consumers.

Let me say, though, that I think there needs to be a reminder here on why we're even standing here. We have seen the economy just about collapse because there has been no oversight. We saw trillions of dollars being lost by our constituents because there was no oversight. So when I say that I'm not alone when I have heard from many in my district who are frustrated with credit card issuers who continue to raise rates during this small window of time before the Credit Card Reform Act is enacted, in these very difficult economic times, when many people are worried about being able to put food on the table or being able to pay their bills, credit card companies choose to push their consumers deeper in debt by raising the interest rates.

Many of us are outraged by this practice and agree with my colleague Congresswoman MARKEY that something has to be and should be done. Our amendment would seek to modify H.R. 3639, the Expedited CARD Reform for Consumers Act of 2009, to allow credit card issuers to choose to impose a freeze on increases to interest rates, fees and the terms of the conditions of the contract. In return for imposing a rate freeze, issuers would be given flexibility to comply with a provision in the act regarding payment allotments until the credit card reform law becomes enacted in February 2010.

Payment options and many of the system changes issues must be made in order to comply with the pending enactment date of the credit card reform law. These changes should be carefully executed so that there is little room for error and confusion to the consumer. I believe our amendment will stop the unfair rate increases and will allow the companies that are doing the right thing to remain on the path of compliance for the pending enactment dates of the provisions, many of which do not have final regulations issued yet by the Federal Reserve.

If the real reason behind this bill is to make issuers stop raising interest rates and other abusive practices, merely moving up the implementation dates on provisions will not address the interest rate problem. My amendment will address the problem by letting the

issuer make the decision to do the right thing.

With that, I reserve the balance of my time.

Mr. HENSARLING. Mr. Chairman, I rise to claim the time in opposition, although as I seek to understand the amendment, I am not completely certain that I am in opposition.

The CHAIR. Without objection, the gentleman from Texas is recognized for 5 minutes.

There was no objection.

Mr. HENSARLING. I will yield myself as much time as I may consume.

It appears that if a credit card issuer does not increase an annual percentage rate fee or finance charge applicable to any existing or future balance, it need not comply. With the bill's requirements, payments above the minimum will be allocated first to that balance until February of 2010. So I guess there is a carve-out for credit card issuers who do not increase annual percentage rates. I suppose at the margins it is good to give more choices instead of fewer choices. Whether or not this results, again, in some people having to pay even more in fees, maybe an annual fee, I don't know the answer to that question. I suppose I will urge my colleagues to adopt this.

But again, all of this legislation, Mr. Chairman, has to be put in the context of the legislation that this body will consider this Friday or Saturday and that is the 1,990-page government takeover of our health care system bill. And I think that on every single piece of legislation that we consider in this body prior to that time, we have to ask the question, If our constituents are going to be looking at having to pay for a trillion-dollar government takeover of health care legislation, is any particular amendment going to make our constituents have a greater ability or a lesser ability to pay for that?

I am thinking specifically right now of all the seniors across America, particularly those in the Fifth Congressional District of Texas that I have the honor and privilege of representing, who will see their Medicare Advantage plans cut by \$150 billion under the government-takeover-of-health-care plan. Now, if so, on the health care benefits they're receiving under their Medicare Advantage plan that my colleagues on the other side of the aisle will cut \$150 billion from Medicare Advantage, will the seniors in the Fifth Congressional District, will they still have access to credit cards, for example, that help them fill the gap to, number one, help pay for the trillion-dollar health care bill and, on the other hand, as \$150 billion is taken away from those who receive Medicare Advantage, particularly those in rural areas?

In representing the Fifth Congressional District of Texas, I represent a lot of rural America. So it's a little unclear to me whether the underlying amendment is going to make it easier for seniors to keep those credit cards or not. I believe perhaps at the margin

it does; and because of that, I will urge my colleagues to adopt this.

Again, all of this has to be put in context of the trillion-dollar government takeover of our health care system. And I hope the gentlelady's amendment helps ease the pain of that legislation.

I yield back the balance of my time.

Mrs. MCCARTHY of New York. I would like to say thank you to the gentlelady, Ms. MARKEY, for working on this legislation. Certainly her voice has been a strong voice for the consumers. I will say again, we're in this particular position mainly because there had been no oversight. If you want to talk about health care also, there has been no oversight on giving our constituents the care that they need.

I yield the remainder of my time to Ms. MARKEY.

Ms. MARKEY of Colorado. I thank Congresswoman MCCARTHY for yielding.

Mr. Chair, I rise today to urge my colleagues to support the McCarthy-Markey amendment to H.R. 3639. I have received an alarming number of complaints from my constituents regarding unreasonable credit card rate increases prior to the enactment of the Credit CARD Act reforms. Two of my constituents from Walsh, Colorado, Fred and Kay Lynn Hefley, recently received a notice from Citibank that their interest rate is jumping to 29.99 percent. The Hefleys have had this credit card since 1971 and have been responsible customers.

□ 1315

Sadly, they are not alone. Taylor Grant from Fort Collins is a small business owner. He has been a responsible Citibank cardholder since 2001 and is now facing similar interest rate increases.

Penalizing customers for maintaining responsible credit practices is unconscionable. This uncertainty in the credit market makes it especially difficult for families who are facing tough economic times at the start of the holiday season.

Our amendment offers credit card companies a choice: obey the spirit of the law and freeze increases to interest rates, fees on any existing or future balances, or changes to account terms to the detriment of a customer. In return, credit card issuers will be given until February 22 to comply with the provision of the Credit CARD Act that requires creditors to apply excess payments to the credit card balance with the highest interest rate.

The effective date of the original Credit CARD Act legislation was set for February of 2010 to give credit card companies enough time to comply with these new regulations—not additional time to violate the spirit of the law by hiking interest rates on consumers.

While I am disappointed that credit card companies have continued to raise interest rates in advance of the effective date of the Credit CARD Act, I believe this amendment provides an opportunity and an incentive for

issuers to demonstrate some goodwill towards American consumers.

I urge my colleagues to support the McCarthy-Markey amendment, because it gives credit card issuers the chance to do the right thing, while still providing a benefit to consumers.

I would like to thank Congresswoman MCCARTHY, Chairman FRANK and the Financial Services Committee staff for their collaborative efforts on this amendment.

The CHAIR. The question is on the amendment offered by the gentlewoman from New York (Mrs. MCCARTHY).

The question was taken; and the Chair announced that the ayes appeared to have it.

Mrs. MCCARTHY of New York. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from New York will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. MAFFEI

The CHAIR. It is now in order to consider amendment No. 3 printed in part B of House Report 111-326.

Mr. MAFFEI. Mr. Chairman, I have an amendment at the desk made in order under the rule.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 3 offered by Mr. MAFFEI:

In section 2 of the bill, strike "December 1, 2009" and insert "the date of the enactment of the Expedited CARD Reform for Consumers Act of 2009".

Page 6, beginning on line 2, strike "December 1, 2009" and insert "the date of the enactment of the Expedited CARD Reform for Consumers Act of 2009".

Page 6, line 12, strike "December 1, 2009" and insert "the date of the enactment of the Expedited CARD Reform for Consumers Act of 2009".

Page 7, beginning on line 2, strike "December 1, 2009" and insert "the date of the enactment of the Expedited CARD Reform for Consumers Act of 2009".

Page 7, line 12, strike "December 1, 2009" and insert "the date of the enactment of the Expedited CARD Reform for Consumers Act of 2009".

The CHAIR. Pursuant to House Resolution 884, the gentleman from New York (Mr. MAFFEI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. MAFFEI. Mr. Chairman, I yield myself such time as I may consume.

I want to thank Chairman FRANK and Representative MALONEY for all their work on this pressing issue.

Today I am offering a simple amendment to make all provisions of the Credit Cardholders' Bill of Rights effective immediately upon enactment instead of waiting until December 1.

Now why should we care about enacting the bill a matter of just a couple of weeks earlier? Well, earlier this year we worked diligently to pass the Credit Cardholders' Bill of Rights. It was a necessary piece of legislation to protect consumers from the abusive prac-

tices that many banks had made standard practice.

While we were working on that legislation, I heard from banks that they could not possibly enact all of the changes by the deadlines we proposed. The banks claimed that to ensure quality customer services they would need months or even years to make the proper changes. Well, that was just last May; and I am frankly disappointed to have to address this situation again today.

Since we passed and enacted the Credit Cardholders' Bill of Rights, credit card companies attempt to fleece customers and hope that Congress didn't notice or have time to act. The same companies that were in my office that claimed that they needed months at least to make changes to their systems apparently only needed in some cases days to find ways to raise interest rates and decrease credit limits on customers across the country.

One caseworker in my Syracuse office watched her card go from 6.9 percent last year to 13.9 earlier this year to a whopping and punitive 29.9 percent in the past few weeks. She carries a balance on that card. But with an interest rate that is suffocating her finances, she almost certainly will not be able to pay that off, so she can't even close the card.

She is not alone. Every day I hear from more and more constituents who tell me they have good credit, that they pay their bills on time, but that the credit card issuers have found a way to raise the rates to extraordinarily high levels. That is why I want to make all provisions of the Credit Cardholders' Bill of Rights effective immediately.

Customers, especially in this economy, cannot wait any longer for these protections. The credit card companies apparently are able to make any changes in interest rates and procedures instantaneously, so why not demand that of them today? If we give them a week or two, they will slam our constituents with even higher rates, trying to squeeze more blood from a stone in the middle of a recession.

We are not allowed to pass legislation retroactively, even though the card companies have retroactively raised rates on consumer balances. What we can do, Mr. Chairman, is make sure that we enact this legislation immediately.

I reserve the balance of my time.

Mr. HENSARLING. Mr. Chairman, I claim the time in opposition.

The CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. HENSARLING. Mr. Chairman, as I have said before, there is never a good time to enact a bad bill. Here we are again in the midst of a huge credit contraction. Every single day people are waking up, they're losing credit cards. Their interest rates are increasing. We have had at least 3.5 million of our fellow citizens lose their jobs since this

administration has taken office. We have the highest unemployment rate in a quarter of a century. And yet in the midst of this credit contraction, when people are having trouble expanding their business, creating jobs, paying their bills, we are going to enact legislation that simply is procyclical and makes the whole matter worse.

I heard the gentleman say we can't enact this retroactively. I would say, at least in the years I have been in the House, we have certainly tried. I suppose that might be the next amendment. Maybe we can make this retroactive to 1974 or some other fairly arbitrary date.

Again, this particular legislation has to be put in the context of the trillion-dollar legislation, the government takeover of our health care system, that this House is due to vote on, apparently, according to the Speaker, either Friday or Saturday. And I question each and every amendment.

Will our constituents be less able or more able to afford to pay for this \$1.3 trillion government takeover of our health care system if we pass this amendment? My guess is that the gentleman from New York's amendment fails that test.

And so I would urge that we reject that amendment.

I reserve the balance of my time.

Mr. MAFFEI. Mr. Chairman, I yield 90 seconds to the distinguished gentleman from New York, the sponsor of the bill and the chair of the Joint Economic Committee, Mrs. MALONEY.

Mrs. MALONEY. I rise in support of my colleague from the great State of New York and applaud his work to protect consumers.

The banks and credit card companies have earned this regulation and earned this amendment because they did not use the time allocated to them to upgrade their systems. They used the time to raise rates unfairly, any time, any reason, retroactively on existing balances.

The bill that I proposed would go into effect in 5 weeks, the gentleman moves it up immediately, but I think consumers deserve relief as soon as possible, and I support his amendment.

Mr. HENSARLING. Mr. Chairman, may I inquire how much time is remaining on each side?

The CHAIR. The gentleman from Texas has 3 minutes remaining, and the gentleman from New York has 1½ minutes remaining.

Mr. HENSARLING. Thank you, Mr. Chairman.

Again, I fear that this amendment is simply going to take a bad situation and make it worse. How will all of our constituents be able, again, to pay for this monstrosity of a government takeover of our health care system, one that will directly tax a number of our constituents? Page 297, section 501, imposes a 2.5 percent tax on all individuals who do not purchase the government-approved health insurance; 2.5 percent.

Now, again, a number of our constituents use credit cards to help pay for their medical expenses, to pay for their groceries, to pay for everything else. And now a number of them are going to be subject to a 2.5 percent tax. How will this amendment help them?

New taxes on medical devices, a 2.5 percent excise tax, which many call the wheelchair tax, particularly I assume a number of seniors will be subject to this tax. I know a number of them rely upon credit cards. Will their credit cards ultimately be taken away from them under this legislation?

The underlying legislation takes away the ability, erodes the ability to do risk-based pricing and takes us back to an era where a third fewer people had access to credit cards and everybody paid annual fees and everybody paid one universal high interest rate.

The underlying legislation takes us down that road, and the gentleman from New York's amendment gets us there tomorrow. And then later in this week we're going to tell our constituents, Congratulations, we just passed a \$1.3 trillion government takeover of your health care system that you have to pay for through new taxes on individuals, new taxes on medical devices, new taxes on small businesses, at a time where this Congress and this administration has brought us the first trillion-dollar deficit in our Nation's history, tripling the national debt—tripling the national debt—in the next 10 years. The least you can do is at least allow your constituents to have a credit card to help pay for this mammoth takeover of our government health care system.

I yield back the balance of my time.

Mr. MAFFEI. Mr. Chairman, in closing, I admire the gentleman from Texas, because to try to defend what the credit card companies are doing is essentially indefensible, so he very artfully tries to change the subject. But I truly believe that this bill just addresses the abusive practices. It would actually make it a lot easier for people who have credit. They would understand exactly what they are getting and exactly what they are paying for.

Now in terms of the effective date of this particular amendment, some say it would be unreasonable to impose this effective date immediately, but not as unreasonable as the credit card issuers have been with their own customers.

Mr. Chairman, the time for delays is over. We gave the credit card companies a chance and they took advantage of our constituents. We can't take the chance of giving them even a week or a day to do it again.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. MAFFEI).

The question was taken; and the Chair announced that the ayes appeared to have it.

Mr. MAFFEI. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the

amendment offered by the gentleman from New York will be postponed.

AMENDMENT NO. 4 OFFERED BY MS. SUTTON

The CHAIR. It is now in order to consider amendment No. 4 printed in part B of House Report 111-326.

Ms. SUTTON. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 4 offered by Ms. SUTTON:

Page 7, after line 18, insert the following new section:

#### SEC. 4. ADDITIONAL LIMITATIONS ESTABLISHED.

Section 127 of the Truth in Lending Act (U.S.C. 1637) is amended by inserting after subsection (r) (as added by the Credit CARD Act of 2009) the following new subsection:

“(s) CANCELLATION OF ACCOUNT WITHOUT DETRIMENTAL EFFECT.—If, in the case of a credit card account under an open end consumer credit plan, the consumer receives notice of the imposition of a new fee, and within the 45-day period beginning on receipt of such notice, pays off any outstanding balance on the account, no creditor and no consumer reporting agency (as defined in section 603) may use such pay off or closure of the consumer credit account to negatively impact the consumer's credit score or consumer report (as such terms are defined in section 609 and 603, respectively).”

The CHAIR. Pursuant to House Resolution 884, the gentleman from Ohio (Ms. SUTTON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio.

Ms. SUTTON. I thank you, and I yield myself such time as I may consume.

I would like to thank both Congresswoman MALONEY and Chairman FRANK for bringing this bill to protect consumers from the egregious practices being engaged in by credit card companies to the floor and for their support of this amendment.

In May, Congress overwhelmingly passed major credit card reform legislation to end the many unfair and deceptive practices that credit card companies have been legally perpetrating for some time. But many of these protective provisions do not go into effect until February 2010 or later. So what are credit card companies doing?

Rather than preparing to implement these new consumer protections, the credit card industry saw this as a window of opportunity to squeeze more money out of consumers. They are raising interest rates and minimum payments while lowering credit limits. They are instituting fees of all shapes and sizes. I am sure that every Member of Congress has heard from constituents who have suffered under these practices. I know I have.

The bill before us today, H.R. 3639, will move up the effective date for credit card reforms to December 1, 2009. I am proud to be an original cosponsor of this bill, and I urge its final passage.

The amendment I am offering tackles the dilemma faced by consumers who receive notice of new fees on their

credit card accounts. As credit card companies search for new ways to make money, they are looking to charge fees where there were none before: new annual fees, inactivity fees, fees for failure to carry a monthly balance. Yes, now some credit card companies are indicating they will be charging a fee to consumers who pay off their balances every month. Can you imagine?

I find it outrageous, but the credit card companies argue that if the consumers don't like it, they can close their account. The choice is, pay the fee or close your account. The problem is that closing your account can hurt your credit score, and credit scores and credit reports play a large role in our society and can really impact people's lives. They are used by mortgage lenders, employers, landlords and insurance providers. This amendment is about leveling the playing field.

□ 1330

This amendment protects consumers by preventing the closure of a credit card account because of new fees from negatively impacting a consumer's credit report or credit score. It will allow consumers to cancel their card or shop around for another card with terms without taking a hit on their credit score. I urge a "yes" vote on this amendment.

I reserve the balance of my time.

Mr. HENSARLING. Mr. Chairman, I claim the time in opposition.

The CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. HENSARLING. Mr. Chairman, there are aspects of the legislation I am not sure that I completely understand, and if the gentlelady from Ohio would be willing to explain her amendment, I will be happy to yield her time.

On line 9 of the amendment, it speaks of the notice of the imposition of a new fee, and I am curious whether a new fee, does that include increasing the amount of a fee that is already in existence?

I yield to the gentlelady for a clarification.

Ms. SUTTON. I appreciate the inquiry, and I believe it would.

Mr. HENSARLING. That it would, okay.

So an altogether new fee that had not previously been imposed, that would be included in the language and any increase in an existing fee would come within your definition of new fee, correct?

I yield to the gentlelady.

Ms. SUTTON. I thank the gentleman for yielding. And yes, that would be the understanding because that fee is a new fee to the consumer. They would then have the opportunity to either continue to engage in using that account with that new fee imposed, or they would have a chance to shop around in the free market to find an account that would be more compatible with their interests. They should not be penalized on their credit report for doing so.

Mr. HENSARLING. I thank the gentlelady for her explanation.

The next question I had, on line 14 there is the phrase "to negatively impact." I am curious whether or not certain creditors feel they are getting accurate data, whether or not this could cause them to drop the consumer's credit card in total, but I suppose the language you use is to negatively impact the consumer's credit score or credit report. So if the impact of your amendment, because incomplete or inaccurate data was given by a credit bureau to a creditor and they chose instead not to take the risk, that the negative impact of losing their credit card, that is not assumed in your amendment?

I yield to the gentlelady.

Ms. SUTTON. That is not a problem that would result from what this amendment is striving to do. This would just protect the imposition of a negative credit score because when you cancel a card, it will limit the amount of credit you have available, and then that is used by credit scorers.

Mr. HENSARLING. Reclaiming my time, I thank the gentlelady for her explanation. I fear for, frankly, a number of creditors it might just have that impact.

So again, I would oppose the underlying amendment because I think, again, under the purpose of attempting to help the consumer, you might actually hurt the consumer. And I think what we want is to make sure that creditors receive the most accurate information possible because it has helped allow more Americans to receive credit than otherwise would be possible.

Now I don't know, there may be some credit bureau out there who believe that people like me who wear red ties are a greater credit risk, I don't know, I am not an expert in it, and I feel quite certain that my colleagues are not experts on what constitutes a greater or lesser credit risk, and except for the prohibited classes of race, creed, and color which have been clearly delineated in our civil rights laws, why do we want to start dictating to credit bureaus about what constitutes a greater risk and what constitutes a lesser risk.

Again, it might make us feel better. It may have good optics; but at the end of the day, I fear the result is if you start restricting, if you go down the road of beginning to restrict the information that is available to creditors, with less information, they are either going to make credit less available or they are going to increase the cost of it because it becomes a greater risk.

Listen, on its face the gentlelady's amendment strikes me as fair; but I don't believe Congress has expertise in this. Again, when we are facing the imposition of a trillion dollar government takeover of our health care bill, I believe this will make credit less available and more costly.

I reserve the balance of my time.

Ms. SUTTON. Mr. Chairman, I would inquire how much time we have remaining.

The CHAIR. The gentlewoman from Ohio has 2½ minutes. The gentleman from Texas has 15 seconds.

Ms. SUTTON. At this time I yield 90 seconds to the distinguished gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY. Mr. Chairman, I rise in strong support of the gentlelady's amendment. It merely gives more responsibility and control to consumers to better manage their own credit. FICO scores should not go down if consumers are trying to do the right thing by getting out of debt. What I hear from my consumers and friends and people who write my office is that they want to cancel a card because of unfair fees and interest rate increases, yet if they cancel their card, then their credit score suffers. This is absolutely wrong when they are doing the right thing of trying to get out of debt, to better control their own finances, to stop unfair fees and unfair interest rates retroactively on their balances.

This is a good amendment. I support it. It would be an important step to take even in a stand-alone bill. It is a very important step and a responsible step to help consumers better manage their own finances and level the playing field between consumers and credit card issuers.

Mr. HENSARLING. Mr. Chairman, I reserve my time to close.

Ms. SUTTON. Mr. Chairman, I appreciate the gentlewoman from New York's remarks. I do indeed feel better when we protect consumers. This amendment is all about leveling the playing field, giving the consumer a fair shake, an opportunity to evaluate whether or not they want to continue with an account that imposes whatever fee has been dreamed up. In this case, the one that really struck a chord was imposing a new fee on credit card users who pay down their balance every month. So we have to think about that. First, they impose all kinds of interest rate increases. Then they impose all kinds of other new fees, and now they are going to actually impose a fee on people who pay down their balances every month.

Mr. FRANK of Massachusetts. Would the gentlewoman yield?

Ms. SUTTON. I yield to the gentleman.

Mr. FRANK of Massachusetts. I very much appreciate the gentlewoman's amendment. The notion that people should be penalized for being prudent is outrageous. What this says is if you close out a credit card account, which is an act of prudence, you shouldn't be penalized for it. It is one of these things that I am embarrassed that we ever had to deal with in the first place because that situation should have never been allowed to have existed. The gentlewoman has a very good amendment.

Ms. SUTTON. I thank the gentleman, and I yield back the balance of my time.

Mr. HENSARLING. Mr. Chairman, I would agree with the chairman of the full committee, people who do it right shouldn't be penalized, and that is exactly what is happening in the underlying legislation.

This particular amendment is simply tantamount to a gag order to tell credit bureaus that they can't report accurate information that creditors want in order to give credit. It is going to take credit away, make it more expensive and less available as we try to finance the trillion dollar government takeover of health care.

The CHAIR. The question is on the amendment offered by the gentlewoman from Ohio (Ms. SUTTON).

The question was taken; and the Chair announced that the ayes appeared to have it.

Ms. SUTTON. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Ohio will be postponed.

#### AMENDMENT NO. 5 OFFERED BY MS. SUTTON

The CHAIR. It is now in order to consider amendment No. 5 printed in part B of House Report 111-326.

Ms. SUTTON. Mr. Chairman, as the designee of Mr. STUPAK, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 5 offered by Ms. SUTTON:

Page 7, after line 18, insert the following new section:

#### SEC. 4. MORATORIUM ON RATE INCREASES.

(a) IN GENERAL.—During the period beginning on the date of the enactment of this Act and ending 9 months after the date of the enactment of the Credit Card Accountability Responsibility and Disclosure Act of 2009, in the case of any credit card account under an open end consumer credit plan—

(1) no creditor may increase any annual percentage rate, fee, or finance charge applicable to any outstanding balance, except as permitted under subsection 171(b) of the Truth in Lending Act (as added by Public Law 111-24); and

(2) no creditor may change the terms governing the repayment of any outstanding balance, except as set forth in section 171(c) of the Truth in Lending Act (as added by Public Law 111-24).

(b) DEFINITIONS.—For purposes of this section, the following definitions shall apply:

(1) ANNUAL PERCENTAGE RATE.—The term “annual percentage rate” means an annual percentage rate, as determined under section 107 of the Truth in Lending Act (15 U.S.C. 1606).

(2) FINANCE CHARGE.—The term “finance charge” means a finance charge, as determined under section 106 of the Truth in Lending Act (15 U.S.C. 1605).

(3) OUTSTANDING BALANCE.—The term “outstanding balance” has the same meaning as in section 171(d) of the Truth in Lending Act (as added by Public Law 111-24).

(4) OTHER TERMS.—Any term used in this section that is defined in section 103 of the Truth in Lending Act (15 U.S.C. 1602) and is

not otherwise defined in this section shall have the same meanings as in section 103 of the Truth in Lending Act.

#### (c) REGULATORY AUTHORITY.—

(1) IN GENERAL.—The Board of Governors of the Federal Reserve System may prescribe such regulations as may be necessary to carry out this section.

(2) EFFECTIVE DATE.—The provisions of this section shall take effect upon the date of the enactment of this title, regardless of whether rules are issued under subsection (a).

The CHAIR. Pursuant to House Resolution 884, the gentlewoman from Ohio (Ms. SUTTON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Ohio.

Ms. SUTTON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, as the designee of Mr. STUPAK, I am calling up this amendment on behalf of my good friend, the Congressman from Michigan, Mr. STUPAK, who is unable to be here with us today due to a death in his family.

Many of our Nation's largest banks received assistance through the Troubled Assets Relief Program, TARP, and these same banks are some of the largest issuers of credit cards. While executives on Wall Street are paid millions of dollars in executive bonuses on the government's credit line, they continue to engage in deceptive and misleading practices that take advantage of consumers and force them to accumulate more debt.

I and 356 of my colleagues supported the Credit Cardholders' Bill of Rights, H.R. 627, passed by Congress earlier this year. Unfortunately, the reforms put into place by this law are being circumvented, as we heard here today, by credit card companies. Card issuers are raising interest rates, raising minimum payment amounts, and charging extra fees before the bill takes effect.

In this economic crisis, far too many families are forced to rely on short term, high interest credit card debt to pay for food, for housing, and other basic necessities. In Congressman STUPAK's district in northern Michigan, unemployment ranges from 6 to 28 percent. In Ohio, the unemployment rate is 10.1 percent. Families are falling behind on their payments and have fallen victim to the predatory practices of the Nation's credit card companies. Moving the enforcement date forward is critical to helping families across this country.

This amendment will immediately freeze interest rates on existing credit card balances until the Credit Cardholders' Bill of Rights goes into effect. For too long, the credit card industry has preyed upon consumers through omission of honest billing practices and through loopholes in credit regulation that are common among banking institutions.

On behalf of Congressman STUPAK, I urge my colleagues to support my amendment.

I reserve the balance of my time.

Mr. HENSARLING. Mr. Chairman, I claim the time in opposition.

The CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. HENSARLING. While I am somewhat unclear why this amendment was made in order, it seems to do precisely the opposite of what the Expedited CARD Reform for Consumers Act was supposedly designed to do. This freezes prices. And yet we have had so many Members on the other side of the aisle tell us the bill doesn't do that.

I see that the chairman of the full committee has come back to the floor. Just in September, on September 23, the chairman was quoted as saying on the House floor, When it comes to rate setting, this bill, to the disappointment of some, doesn't limit future rates. As far as the future is concerned, if proper notice is given, this bill is not restricted.

Well, the adoption of this amendment would seem to fly in the face of that. The chairman, I assume, was correct when he said it. But if the House adopts this amendment, it will no longer be true.

The chairman of the subcommittee, the gentleman from Illinois (Mr. GUTIERREZ), There is no limit in this bill on the interest rate that you can charge. None whatsoever. That was spoken on the House floor on April 29. Again, if the amendment is adopted, that will no longer be true.

This bill aims to bring back some balance in the playing field. Unlike other proposals out there, this bill does not set price controls or rate caps or limit the size of fees. That would be the gentlelady from New York who spoke those words in subcommittee in March of 2008. Again, if the underlying amendment is adopted, it seems to change the nature of the underlying bill.

Mr. FRANK of Massachusetts. Would the gentleman yield?

Mr. HENSARLING. I would be happy to yield to the chairman.

Mr. FRANK of Massachusetts. The bill does not impose any restrictions other than those in the underlying bill. What it says is, section 4(a) in general, during this period and ending 9 months after the date, it says no creditor may increase any annual percentage rate fee or finance charge except as permitted under subsection 171(b) of the Truth in Lending Act, the CARD Act. So it does have restrictions, but it only reaffirms those that were already in there with the 9-month date. It does not do any new restriction on the ability to raise rates.

□ 1345

Mr. HENSARLING. Well, I thank the chairman.

Reclaiming my time, During the period beginning on the date of the enactment of this act and ending 9 months after the date, no creditor may increase annual percentage rate fee finance charge. Again, under the subsection it appears again “for at least a 9-month period.”

Mr. FRANK of Massachusetts. Would the gentleman yield?



Mr. HENSARLING. Yes, I would be happy to yield to the gentleman.

Mr. FRANK of Massachusetts. He stops reading inexplicably. He's got to work on his attention span because it goes on to say, Except—

Mr. HENSARLING. Well, reclaiming my time, I was still reading as I yielded to the chairman. So I can either read or I can yield to the chairman. I would be happy to yield to the chairman.

Mr. FRANK of Massachusetts. I apologize, because the part that we were probably both going to read—and we will work on doing it in unison—says, Except as permitted under subsection 171(b). That is, it imposes no new restrictions. It does revert back to those that are already enacted into law.

Mr. HENSARLING. Well, reclaiming my time, then I would question the body on what particular purpose the amendment then serves.

Mr. FRANK of Massachusetts. Would the gentleman yield? That's not a bad question. I don't have as good an answer to that question as I had to the one before.

The CHAIR. The gentleman from Texas controls the time.

Mr. HENSARLING. At this point, I will reserve the balance of my time.

Ms. SUTTON. This amendment gives immediate protection to the consumer and will end any manipulation of existing credit card contracts by companies prior to the December 1 date. It's as simple as that.

With that, Mr. Chairman, I yield back the balance of my time.

Mr. HENSARLING. Mr. Chairman, may I inquire how much time is remaining?

The CHAIR. The gentleman has 1 minute remaining.

Mr. HENSARLING. Well, one thing of interest, I suppose, is that if we adopt the earlier amendment of the gentleman from New York, this all becomes irrelevant anyway since the effective date would be immediate. So I believe that—

Mr. FRANK of Massachusetts. Would the gentleman yield?

Mr. HENSARLING. I have only 60 seconds, but yes, I will yield a short time to the chairman.

Mr. FRANK of Massachusetts. The point is this: Given the context of all these amendments, this one doesn't have great effect. But as Members filed amendments, it wasn't clear all the amendments that were there. I think if the gentleman knew everything else that was going to be done, it might not have appeared.

Mr. HENSARLING. I thank the chairman for his clarification.

Again, I believe that ultimately this is an amendment that would simply impose price controls for a limited duration of time, contrary to what some of us were led to believe.

But again, the most important aspect of this legislation has to be put into the context of the \$1 trillion govern-

ment takeover of our health care plan to be voted on Friday or Saturday. This will make credit more expensive and less available. It should be defeated.

Mr. Chairman, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Ohio (Ms. SUTTON).

The question was taken; and the Chair announced that the ayes appeared to have it.

Ms. SUTTON. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Ohio will be postponed.

#### ANNOUNCEMENT BY THE CHAIR

The CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part B of House Report 111-326 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. HENSARLING of Texas;

Amendment No. 2 by Mrs. MCCARTHY of New York;

Amendment No. 3 by Mr. MAFFEI of New York;

Amendment No. 4 by Ms. SUTTON of Ohio;

Amendment No. 5 by Ms. SUTTON of Ohio.

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

#### AMENDMENT NO. 1 OFFERED BY MR. HENSARLING

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. HENSARLING) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

#### RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 427, noes 0, not voting 11, as follows:

[Roll No. 845]

AYES—427

Abercrombie	Berkley	Boustany
Ackerman	Berman	Boyd
Aderholt	Berry	Brady (PA)
Adler (NJ)	Biggart	Brady (TX)
Akin	Bilbray	Bright
Alexander	Bilirakis	Broun (GA)
Altmire	Bishop (GA)	Brown (SC)
Andrews	Bishop (NY)	Brown, Corrine
Arcuri	Bishop (UT)	Brown-Waite,
Austria	Blackburn	Ginny
Baca	Blumenauer	Buchanan
Bachmann	Blunt	Burgess
Bachus	Bocciari	Burton (IN)
Baird	Boehner	Butterfield
Baldwin	Bonner	Buyer
Barrett (SC)	Bono Mack	Calvert
Barrow	Boozman	Camp
Bartlett	Bordallo	Campbell
Barton (TX)	Boren	Cantor
Bean	Boswell	Cao
Becerra	Boucher	Capito
Capps	Harman	McGovern
Capuano	Harper	McHenry
Cardoza	Hastings (FL)	McIntyre
Carnahan	Hastings (WA)	McKeon
Carney	Heinrich	McMahon
Carson (IN)	Heller	McMorris
Carter	Hensarling	Rodgers
Cassidy	Herger	McNerney
Castle	Hersteth Sandlin	Meek (FL)
Castor (FL)	Higgins	Meeks (NY)
Chaffetz	Hill	Melancon
Chandler	Himes	Mica
Childers	Hinchey	Michaud
Christensen	Hinojosa	Miller (FL)
Chu	Hirono	Miller (MI)
Clarke	Hodes	Miller (NC)
Clay	Hoekstra	Miller, Gary
Cleaver	Holden	Miller, George
Clyburn	Holt	Minnick
Coble	Honda	Mitchell
Cohen	Hoyer	Mollohan
Cole	Hunter	Moore (KS)
Conaway	Inglis	Moore (WI)
Connolly (VA)	Inslee	Moran (KS)
Conyers	Israel	Moran (VA)
Cooper	Issa	Murphy (CT)
Costa	Jackson (IL)	Murphy (NY)
Costello	Jackson-Lee	Murphy, Tim
Courtney	(TX)	Murtha
Crenshaw	Jenkins	Myrick
Crowley	Johnson (GA)	Nadler (NY)
Cuellar	Johnson (IL)	Napolitano
Culberson	Johnson, E. B.	Neal (MA)
Cummings	Johnson, Sam	Neugebauer
Dahlkemper	Jones	Nye
Davis (AL)	Jordan (OH)	Oberstar
Davis (CA)	Kagen	Obey
Davis (IL)	Kanjorski	Olson
Davis (KY)	Kaptur	Oliver
DeFazio	Kennedy	Ortiz
DeGette	Kildee	Pallone
Delahunt	Kilpatrick (MI)	Pascarell
DeLauro	Kilroy	Pastor (AZ)
Dent	Kind	Paul
Diaz-Balart, L.	King (IA)	Paulsen
Diaz-Balart, M.	King (NY)	Payne
Dicks	Kingston	Pence
Dingell	Kirk	Perlmutter
Doggett	Kirkpatrick (AZ)	Perriello
Donnelly (IN)	Kissell	Peters
Doyle	Klein (FL)	Peterson
Dreier	Kline (MN)	Petri
Driehaus	Kosmas	Pingree (ME)
Duncan	Kratovil	Pitts
Edwards (MD)	Kucinich	Platts
Edwards (TX)	Lamborn	Poe (TX)
Ehlers	Lance	Polis (CO)
Ellison	Langevin	Pomeroy
Ellsworth	Larsen (WA)	Posey
Emerson	Larson (CT)	Price (GA)
Engel	Latham	Price (NC)
Eshoo	LaTourette	Putnam
Etheridge	Latta	Quigley
Faleomavaega	Lee (CA)	Radanovich
Fallin	Lee (NY)	Rahall
Farr	Levin	Rangel
Fattah	Lewis (CA)	Rehberg
Filner	Lewis (GA)	Reichert
Flake	Linder	Reyes
Fleming	Lipinski	Richardson
Forbes	LoBiondo	Rodriguez
Fortenberry	Loeb sack	Roe (TN)
Foster	Lofgren, Zoe	Rogers (AL)
Fox	Lowey	Rogers (KY)
Frank (MA)	Lucas	Rogers (MI)
Franks (AZ)	Luetkemeyer	Rohrabacher
Frelinghuysen	Lujan	Rooney
Fudge	Lummis	Ros-Lehtinen
Gallely	Lungren, Daniel	Roskam
Garrett (NJ)	E.	Ross
Giffords	Lynch	Rothman (NJ)
Gingrey (GA)	Mack	Roybal-Allard
Gohmert	Maffei	Royce
Gonzalez	Maloney	Ruppersberger
Goodlatte	Manzullo	Rush
Gordon (TN)	Marchant	Ryan (OH)
Granger	Markey (CO)	Ryan (WI)
Graves	Markey (MA)	Sablan
Grayson	Marshall	Salazar
Green, Al	Massa	Sanchez, Loretta
Green, Gene	Matheson	Sarbanes
Griffith	Matsui	Scalise
Grijalva	McCarthy (CA)	Schakowsky
Guthrie	McCarthy (NY)	Schauer
Gutierrez	McCaul	Schiff
Hall (NY)	McClintock	Schmidt
Hall (TX)	McCollum	Schock
Halvorson	McCotter	Schrader
Hare	McDermott	Schwartz

Scott (GA)	Spratt	Visclosky	Cole	Hunter	Moore (KS)	Souder	Tiberi	Watson
Scott (VA)	Stark	Walden	Conaway	Inglis	Moore (WI)	Space	Tierney	Watt
Sensenbrenner	Stearns	Walz	Connolly (VA)	Inslee	Moran (KS)	Speier	Titus	Waxman
Serrano	Sullivan	Wamp	Conyers	Israel	Moran (VA)	Spratt	Tonko	Weiner
Sessions	Sutton	Wasserman	Cooper	Issa	Murphy (CT)	Stark	Towns	Welch
Sestak	Tanner	Schultz	Costa	Jackson (IL)	Murphy (NY)	Stearns	Tsongas	Westmoreland
Shadegg	Taylor	Waters	Costello	Jackson-Lee	Murphy, Tim	Sullivan	Turner	Wexler
Shea-Porter	Teague	Watson	Courtney	(TX)	Murtha	Sutton	Upton	Whitfield
Sherman	Terry	Watt	Crenshaw	Jenkins	Myrick	Tanner	Van Hollen	Wilson (OH)
Shimkus	Thompson (CA)	Waxman	Crowley	Johnson (GA)	Nadler (NY)	Taylor	Velázquez	Wilson (SC)
Shuler	Thompson (MS)	Weiner	Cuellar	Johnson (IL)	Napolitano	Teague	Visclosky	Wittman
Shuster	Thompson (PA)	Welch	Culberson	Johnson, E. B.	Neal (MA)	Terry	Walden	Wolf
Simpson	Thornberry	Westmoreland	Cummings	Johnson, Sam	Neugebauer	Thompson (CA)	Walz	Woolsey
Sires	Tiahrt	Wexler	Dahlkemper	Jones	Nye	Thompson (MS)	Wamp	Wu
Skelton	Tiberi	Whitfield	Davis (AL)	Jordan (OH)	Oberstar	Thompson (PA)	Wasserman	Yarmuth
Slaughter	Tierney	Wilson (OH)	Davis (CA)	Kagen	Obey	Thornberry	Schultz	Young (AK)
Smith (NE)	Titus	Wilson (SC)	Davis (IL)	Kanjorski	Olson	Tiahrt	Waters	Young (FL)
Smith (NJ)	Tonko	Wittman	Davis (KY)	Kaptur	Olver			
Smith (TX)	Towns	Wolf	DeFazio	Kennedy	Ortiz			
Smith (WA)	Tsongas	Woolsey	DeGette	Kildee	Pallone			
Snyder	Turner	Wu	Delahunt	Kilpatrick (MI)	Pascarell			
Souder	Upton	Yarmuth	DeLauro	Kilroy	Pastor (AZ)			
Space	Van Hollen	Young (AK)	Dent	Kind	Paul			
Speier	Velázquez	Young (FL)	Diaz-Balart, L.	King (IA)	Paulsen			
			Diaz-Balart, M.	King (NY)	Payne			
			Dicks	Kingston	Pence			
			Dingell	Kirk	Perlmutter			
			Doggett	Kirkpatrick (AZ)	Perriello			
			Donnelly (IN)	Kissell	Peters			
			Doyle	Klein (FL)	Peterson			
			Dreier	Kline (MN)	Petri			
			Driehaus	Kosmas	Pierluisi			
			Duncan	Kratovil	Pingree (ME)			
			Edwards (MD)	Kucinich	Pitts			
			Edwards (TX)	Lamborn	Platts			
			Ehlers	Lance	Poe (TX)			
			Ellison	Langevin	Polis (CO)			
			Ellsworth	Larsen (WA)	Pomeroy			
			Emerson	Larson (CT)	Posey			
			Engel	Latham	Price (GA)			
			Eshoo	LaTourette	Price (NC)			
			Etheridge	Latta	Putnam			
			Faleomavaega	Lee (CA)	Quigley			
			Fallin	Lee (NY)	Radanovich			
			Farr	Levin	Rahall			
			Fattah	Lewis (CA)	Rangel			
			Filner	Lewis (GA)	Rehberg			
			Flake	Linder	Reichert			
			Fleming	Lipinski	Reyes			
			Forbes	LoBiondo	Richardson			
			Fortenberry	Loeb sack	Rodriguez			
			Foster	Lofgren, Zoe	Roe (TN)			
			Fox	Lowe	Rogers (AL)			
			Frank (MA)	Lucas	Rogers (KY)			
			Franks (AZ)	Luetkemeyer	Rogers (MI)			
			Frelinghuysen	Lujan	Rohrabacher			
			Fudge	Lummis	Rooney			
			Galleghy	Lungren, Daniel	Ros-Lehtinen			
			Garrett (NJ)	E.	Roskam			
			Giffords	Lynch	Ross			
			Gingrey (GA)	Mack	Rothman (NJ)			
			Gohmert	Maffei	Roybal-Allard			
			Gonzalez	Maloney	Royce			
			Goodlatte	Manzullo	Ruppersberger			
			Gordon (TN)	Marchant	Rush			
			Granger	Markey (CO)	Ryan (OH)			
			Graves	Markey (MA)	Ryan (WI)			
			Grayson	Marshall	Sablan			
			Green, Al	Massa	Salazar			
			Green, Gene	Matheson	Salazar, Loretta			
			Griffith	Matsui	Sanabanes			
			Grijalva	McCarthy (CA)	Scalise			
			Guthrie	McCarthy (NY)	Schakowsky			
			Gutierrez	McCaul	Schauer			
			Hall (NY)	McClintock	Schiff			
			Hall (TX)	McCollum	Schmidt			
			Halvorson	McCotter	Schock			
			Hare	McDermott	Schrader			
			Harman	McGovern	Schwartz			
			Harper	McHenry	Scott (GA)			
			Hastings (FL)	McIntyre	Scott (VA)			
			Hastings (WA)	McKeon	Sensenbrenner			
			Heinrich	McMahon	Serrano			
			Heller	McMorris	Sessions			
			Hensarling	Rodgers	Sestak			
			Herger	McNerney	Shadegg			
			Herseht Sandlin	Meek (FL)	Shea-Porter			
			Higgins	Meeks (NY)	Sherman			
			Hill	Melancon	Shimkus			
			Himes	Mica	Shuler			
			Hinche	Michaud	Shuster			
			Hinojosa	Miller (FL)	Simpson			
			Hirono	Miller (MI)	Sires			
			Hodes	Miller (NC)	Skelton			
			Hoekstra	Miller, Gary	Smith (NE)			
			Holden	Miller, George	Smith (NJ)			
			Holt	Minnick	Smith (TX)			
			Honda	Mitchell	Smith (WA)			
			Hoyer	Mollohan	Snyder			

## NOT VOTING—11

Braley (IA)	Gerlach	Pierluisi
Coffman (CO)	Murphy, Patrick	Sánchez, Linda
Davis (TN)	Norton	T.
Deal (GA)	Nunes	Stupak

□ 1414

Messrs. WITTMAN, DINGELL and PALLONE changed their vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

## AMENDMENT NO. 2 OFFERED BY MRS. MCCARTHY OF NEW YORK

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mrs. MCCARTHY) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 427, noes 0, not voting 11, as follows:

[Roll No. 846]

AYES—427

Abercrombie	Bishop (NY)	Buyer
Ackerman	Bishop (UT)	Calvert
Aderholt	Blackburn	Camp
Adler (NJ)	Blumenauer	Campbell
Akin	Blunt	Cantor
Alexander	Boccieri	Cao
Altmire	Boehner	Capito
Andrews	Bonner	Capps
Arcuri	Bono Mack	Capuano
Austria	Boozman	Cardoza
Baca	Bordallo	Carnahan
Bachmann	Boren	Carney
Bachus	Boswell	Carson (IN)
Baird	Boucher	Carter
Baldwin	Boustany	Cassidy
Barrett (SC)	Boyd	Castle
Barrow	Brady (PA)	Castor (FL)
Bartlett	Brady (TX)	Chaffetz
Barton (TX)	Bright	Chandler
Bean	Broun (GA)	Childers
Becerra	Brown (SC)	Christensen
Berkley	Brown, Corrine	Chu
Berman	Brown-Waite,	Clarke
Berry	Ginny	Clay
Biggart	Buchanan	Cleaver
Bilbray	Burgess	Clyburn
Bilirakis	Burton (IN)	Coble
Bishop (GA)	Butterfield	Cohen

Cole	Hunter	Moore (KS)	Souder	Tiberi	Watson
Conaway	Inglis	Moore (WI)	Space	Tierney	Watt
Connolly (VA)	Inslee	Moran (KS)	Speier	Titus	Waxman
Conyers	Israel	Moran (VA)	Spratt	Tonko	Weiner
Cooper	Issa	Murphy (CT)	Stark	Towns	Welch
Costa	Jackson (IL)	Murphy (NY)	Stearns	Tsongas	Westmoreland
Costello	Jackson-Lee	Murphy, Tim	Sullivan	Turner	Wexler
Courtney	(TX)	Murtha	Sutton	Upton	Whitfield
Crenshaw	Jenkins	Myrick	Tanner	Van Hollen	Wilson (OH)
Crowley	Johnson (GA)	Nadler (NY)	Taylor	Velázquez	Wilson (SC)
Cuellar	Johnson (IL)	Napolitano	Teague	Visclosky	Wittman
Culberson	Johnson, E. B.	Neal (MA)	Terry	Walden	Wolf
Cummings	Johnson, Sam	Neugebauer	Thompson (CA)	Walz	Woolsey
Dahlkemper	Jones	Nye	Thompson (MS)	Wamp	Wu
Davis (AL)	Jordan (OH)	Oberstar	Thompson (PA)	Wasserman	Yarmuth
Davis (CA)	Kagen	Obey	Thornberry	Schultz	Young (AK)
Davis (IL)	Kanjorski	Olson	Tiahrt	Waters	Young (FL)
Davis (KY)	Kaptur	Olver			
DeFazio	Kennedy	Ortiz			
DeGette	Kildee	Pallone			
Delahunt	Kilpatrick (MI)	Pascarell			
DeLauro	Kilroy	Pastor (AZ)			
Dent	Kind	Paul			
Diaz-Balart, L.	King (IA)	Paulsen			
Diaz-Balart, M.	King (NY)	Payne			
Dicks	Kingston	Pence			
Dingell	Kirk	Perlmutter			
Doggett	Kirkpatrick (AZ)	Perriello			
Donnelly (IN)	Kissell	Peters			
Doyle	Klein (FL)	Peterson			
Dreier	Kline (MN)	Petri			
Driehaus	Kosmas	Pierluisi			
Duncan	Kratovil	Pingree (ME)			
Edwards (MD)	Kucinich	Pitts			
Edwards (TX)	Lamborn	Platts			
Ehlers	Lance	Poe (TX)			
Ellison	Langevin	Polis (CO)			
Ellsworth	Larsen (WA)	Pomeroy			
Emerson	Larson (CT)	Posey			
Engel	Latham	Price (GA)			
Eshoo	LaTourette	Price (NC)			
Etheridge	Latta	Putnam			
Faleomavaega	Lee (CA)	Quigley			
Fallin	Lee (NY)	Radanovich			
Farr	Levin	Rahall			
Fattah	Lewis (CA)	Rangel			
Filner	Lewis (GA)	Rehberg			
Flake	Linder	Reichert			
Fleming	Lipinski	Reyes			
Forbes	LoBiondo	Richardson			
Fortenberry	Loeb sack	Rodriguez			
Foster	Lofgren, Zoe	Roe (TN)			
Fox	Lowe	Rogers (AL)			
Frank (MA)	Lucas	Rogers (KY)			
Franks (AZ)	Luetkemeyer	Rogers (MI)			
Frelinghuysen	Lujan	Rohrabacher			
Fudge	Lummis	Rooney			
Galleghy	Lungren, Daniel	Ros-Lehtinen			
Garrett (NJ)	E.	Roskam			
Giffords	Lynch	Ross			
Gingrey (GA)	Mack	Rothman (NJ)			
Gohmert	Maffei	Roybal-Allard			
Gonzalez	Maloney	Royce			
Goodlatte	Manzullo	Ruppersberger			
Gordon (TN)	Marchant	Rush			
Granger	Markey (CO)	Ryan (OH)			
Graves	Markey (MA)	Ryan (WI)			
Grayson	Marshall	Sablan			
Green, Al	Massa	Salazar			
Green, Gene	Matheson	Salazar, Loretta			
Griffith	Matsui	Sanabanes			
Grijalva	McCarthy (CA)	Scalise			
Guthrie	McCarthy (NY)	Schakowsky			
Gutierrez	McCaul	Schauer			
Hall (NY)	McClintock	Schiff			
Hall (TX)	McCollum	Schmidt			
Halvorson	McCotter	Schock			
Hare	McDermott	Schrader			
Harman	McGovern	Schwartz			
Harper	McHenry	Scott (GA)			
Hastings (FL)	McIntyre	Scott (VA)			
Hastings (WA)	McKeon	Sensenbrenner			
Heinrich	McMahon	Serrano			
Heller	McMorris	Sessions			
Hensarling	Rodgers	Sestak			
Herger	McNerney	Shadegg			
Herseht Sandlin	Meek (FL)	Shea-Porter			
Higgins	Meeks (NY)	Sherman			
Hill	Melancon	Shimkus			
Himes	Mica	Shuler			
Hinche	Michaud	Shuster			
Hinojosa	Miller (FL)	Simpson			
Hirono	Miller (MI)	Sires			
Hodes	Miller (NC)	Skelton			
Hoekstra	Miller, Gary	Smith (NE)			
Holden	Miller, George	Smith (NJ)			
Holt	Minnick	Smith (TX)			
Honda	Mitchell	Smith (WA)			
Hoyer	Mollohan	Snyder			

## NOT VOTING—11

Braley (IA)	Gerlach	Sánchez, Linda
Coffman (CO)	Murphy, Patrick	T.
Davis (TN)	Norton	Slaughter
Deal (GA)	Nunes	Stupak

## ANNOUNCEMENT BY THE CHAIR

The CHAIR (during the vote). Two minutes remain in this vote.

□ 1422

So the amendment was agreed to.

The result of the vote was announced as above recorded.

## AMENDMENT NO. 3 OFFERED BY MR. MAFFEI

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. MAFFEI) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

Jackson-Lee (TX)  
 Johnson (GA)  
 Johnson, E. B. Jones  
 Kagen  
 Kanjorski  
 Kaptur  
 Kennedy  
 Kildee  
 Kilpatrick (MI)  
 Kilroy  
 Kind  
 Kissell  
 Klein (FL)  
 Kosmas  
 Kratovil  
 Kucinich  
 Langevin  
 Larsen (WA)  
 Larson (CT)  
 Latham  
 LaTourette  
 Lee (CA)  
 Levin  
 Lewis (GA)  
 Lipinski  
 Loeb sack  
 Lofgren, Zoe  
 Lowey  
 Luján  
 Lynch  
 Maffei  
 Maloney  
 Markey (CO)  
 Markey (MA)  
 Marshall  
 Massa  
 Matheson  
 Matsui  
 McCollum  
 McDermott  
 McGovern  
 McIntyre  
 McMahon  
 McNerney  
 Meek (FL)  
 Meeks (NY)  
 Melancon

Michaud  
 Miller (NC)  
 Miller, George  
 Minnick  
 Mitchell  
 Mollohan  
 Moore (KS)  
 Moore (WI)  
 Moran (VA)  
 Murphy (CT)  
 Murphy (NY)  
 Murtha  
 Nadler (NY)  
 Napolitano  
 Neal (MA)  
 Nye  
 Oberstar  
 Obey  
 Oliver  
 Ortiz  
 Pallone  
 Pascarell  
 Pastor (AZ)  
 Payne  
 Perlmutter  
 Perriello  
 Peters  
 Peterson  
 Pierluisi  
 Pingree (ME)  
 Platts  
 Polis (CO)  
 Pomeroy  
 Price (NC)  
 Quigley  
 Rahall  
 Rangel  
 Reichert  
 Reyes  
 Richardson  
 Rodriguez  
 Ross  
 Roybal-Allard  
 Ruppersberger  
 Rush  
 Ryan (OH)  
 Sablan  
 Salazar  
 Sanchez, Loretta

Sarbanes  
 Schakowsky  
 Schauer  
 Schiff  
 Schrader  
 Schwartz  
 Scott (GA)  
 Scott (VA)  
 Serrano  
 Sestak  
 Shea-Porter  
 Sherman  
 Shuler  
 Simpson  
 Sires  
 Slaughter  
 Smith (WA)  
 Snyder  
 Space  
 Speier  
 Spratt  
 Stark  
 Sutton  
 Tanner  
 Teague  
 Thompson (CA)  
 Thompson (MS)  
 Tierney  
 Titus  
 Tonko  
 Towns  
 Tsongas  
 Van Hollen  
 Velázquez  
 Visclosky  
 Walz  
 Wasserman  
 Schultz  
 Waters  
 Watson  
 Watt  
 Waxman  
 Weiner  
 Welch  
 Wilson (OH)  
 Woolsey  
 Wu  
 Yarmuth

## NOES—174

Aderholt  
 Alexander  
 Austria  
 Bachmann  
 Bachus  
 Fallin  
 Barrett (SC)  
 Bartlett  
 Barton (TX)  
 Bean  
 Biggert  
 Bilbray  
 Bilirakis  
 Bishop (UT)  
 Blackburn  
 Boehner  
 Bonner  
 Bono Mack  
 Boozman  
 Boucher  
 Boustany  
 Brady (TX)  
 Bright  
 Broun (GA)  
 Brown (SC)  
 Brown-Waite,  
 Ginny  
 Buchanan  
 Burgess  
 Burton (IN)  
 Buyer  
 Calvert  
 Camp  
 Campbell  
 Cantor  
 Cao  
 Capito  
 Carter  
 Cassidy  
 Castle  
 Chaffetz  
 Coble  
 Cole  
 Conaway  
 Crenshaw  
 Culberson  
 Davis (KY)  
 Dent  
 Diaz-Balart, L.

Diaz-Balart, M.  
 Dreier  
 Duncan  
 Ehlers  
 Fallin  
 Flake  
 Fleming  
 Forbes  
 Fortenberry  
 Foxx  
 Franks (AZ)  
 Frelinghuysen  
 Gallegly  
 Garrett (NJ)  
 Giffords  
 Gingrey (GA)  
 Gohmert  
 Goodlatte  
 Granger  
 Graves  
 Guthrie  
 Hall (TX)  
 Harper  
 Hastings (WA)  
 Heller  
 Hensarling  
 Herger  
 Herseth Sandlin  
 Himes  
 Hoekstra  
 Hunter  
 Inglis  
 Issa  
 Jenkins  
 Johnson (IL)  
 Johnson, Sam  
 Jordan (OH)  
 King (IA)  
 King (NY)  
 Kingston  
 Kirk  
 Kirkpatrick (AZ)  
 Kline (MN)  
 Lamborn  
 Lance  
 Latta  
 Lee (NY)  
 Lewis (CA)

Linder  
 LoBiondo  
 Lucas  
 Luetkemeyer  
 Lummis  
 Lungren, Daniel  
 E.  
 Mack  
 Manzullo  
 Marchant  
 McCarthy (CA)  
 McCarthy (NY)  
 McCaul  
 McClintock  
 McCotter  
 McHenry  
 McKeon  
 McMorris  
 Rodgers  
 Mica  
 Miller (FL)  
 Miller (MI)  
 Miller, Gary  
 Moran (KS)  
 Murphy, Tim  
 Myrick  
 Neugebauer  
 Olson  
 Paul  
 Paulsen  
 Pence  
 Petri  
 Pitts  
 Poe (TX)  
 Posey  
 Price (GA)  
 Putnam  
 Radanovich  
 Rehberg  
 Roe (TN)  
 Rogers (AL)  
 Rogers (KY)  
 Rogers (MI)  
 Rohrabacher  
 Rooney  
 Ros-Lehtinen  
 Roskam  
 Royce

Ryan (WI)  
 Scalise  
 Schmidt  
 Schock  
 Sensenbrenner  
 Sessions  
 Shadegg  
 Shimkus  
 Shuster  
 Skelton  
 Smith (NE)  
 Smith (NJ)  
 Smith (TX)  
 Souder  
 Stearns  
 Sullivan  
 Taylor  
 Terry  
 Thompson (PA)  
 Thornberry  
 Tiahrt  
 Tiberi  
 Turner  
 Upton  
 Walden  
 Wamp  
 Westmoreland  
 Whitfield  
 Wilson (SC)  
 Wittman  
 Wolf  
 Young (AK)  
 Young (FL)

## NOT VOTING—13

Akin  
 Braley (IA)  
 Coffman (CO)  
 Davis (TN)  
 Deal (GA)  
 Gerlach  
 Murphy, Patrick  
 Norton  
 Nunes  
 Rothman (NJ)  
 Sánchez, Linda  
 T.  
 Stupak  
 Wexler

## ANNOUNCEMENT BY THE CHAIR

The CHAIR (during the vote). Two minutes remain in this vote.

□ 1430

So the amendment was agreed to.  
 The result of the vote was announced as above recorded.

## PERSONAL EXPLANATION

Mr. COFFMAN of Colorado. Mr. Chair, on rollcall Nos. 845, 846, and 847 I was unavoidably detained.

Had I been present, I would have voted on rollcall 845—"aye," on rollcall 846—"aye," and on rollcall 847—"no."

## AMENDMENT NO. 4 OFFERED BY MS. SUTTON

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Ohio (Ms. SUTTON) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 353, noes 71, not voting 14, as follows:

[Roll No. 848]

## AYES—353

Abercrombie  
 Ackerman  
 Aderholt  
 Adler (NJ)  
 Alexander  
 Altmire  
 Andrews  
 Arcuri  
 Baca  
 Baird  
 Baldwin  
 Barrow  
 Bartlett  
 Barton (TX)  
 Bean  
 Berkley  
 Berman  
 Berry  
 Biggert  
 Bilbray  
 Bilirakis  
 Bishop (GA)  
 Bishop (NY)  
 Bishop (UT)  
 Blackburn  
 Blumenauer  
 Blunt  
 Boccieri  
 Bonner  
 Bono Mack  
 Boozman  
 Bordallo  
 Boren  
 Boswell  
 Boucher  
 Boustany  
 Boyd  
 Brady (PA)  
 Bright  
 Brown (SC)  
 Brown, Corrine  
 Brown-Waite,  
 Ginny  
 Buchanan  
 Butterfield  
 Buyer  
 Camp  
 Campbell  
 Cao  
 Capito  
 Capps  
 Capuano  
 Cardoza  
 Carnahan  
 Carney  
 Carson (IN)  
 Cassidy  
 Castor (FL)  
 Chaffetz  
 Chandler  
 Childers  
 Christensen  
 Chu  
 Clarke  
 Clay  
 Cleaver  
 Clyburn  
 Coble  
 Coffman (CO)  
 Cohen  
 Connolly (VA)  
 Conyers  
 Cooper  
 Costa  
 Costello  
 Courtney  
 Crenshaw  
 Crowley  
 Cuellar  
 Culberson  
 Cummings  
 Dahlkemper  
 Davis (AL)  
 Davis (CA)  
 Davis (IL)  
 DeFazio  
 DeGette  
 Delahunt  
 DeLauro  
 Dent  
 Diaz-Balart, L.  
 Diaz-Balart, M.  
 Dicks  
 Dingell  
 Doggett  
 Donnelly (IN)

Doyle  
 Driehaus  
 Duncan  
 Edwards (MD)  
 Edwards (TX)  
 Ehlers  
 Ellison  
 Ellsworth  
 Emerson  
 Engel  
 Eshoo  
 Etheridge  
 Faleomavaega  
 Fallin  
 Farr  
 Fattah  
 Filner  
 Fleming  
 Forbes  
 Fortenberry  
 Foster  
 Frank (MA)  
 Frelinghuysen  
 Fudge  
 Giffords  
 Gohmert  
 Gonzalez  
 Goodlatte  
 Gordon (TN)  
 Graves  
 Grayson  
 Green, Al  
 Green, Gene  
 Griffith  
 Grijalva  
 Guthrie  
 Gutierrez  
 Hall (NY)  
 Halvorson  
 Hare  
 Harman  
 Harper  
 Heinrich  
 Heller  
 Herger  
 Herseth Sandlin  
 Higgins  
 Hill  
 Hinchey  
 Hinojosa  
 Hirono  
 Hodes  
 Hoekstra  
 Holden  
 Holt  
 Honda  
 Hoyer  
 Hunter  
 Inslee  
 Israel  
 Jackson (IL)  
 Jackson-Lee  
 (TX)  
 Jenkins  
 Johnson (GA)  
 Johnson (IL)  
 Johnson, E. B.  
 Jones  
 Kagen  
 Kanjorski  
 Kaptur  
 Kennedy  
 Kildee  
 Kilpatrick (MI)  
 Kilroy  
 Kind  
 Kingston  
 Kirk  
 Kirkpatrick (AZ)  
 Kissell  
 Klein (FL)  
 Kline (MN)  
 Kosmas  
 Kratovil  
 Kucinich  
 Lance  
 Langevin  
 Larsen (WA)  
 Larson (CT)  
 Latham  
 LaTourette  
 Lee (CA)  
 Levin  
 Lewis (GA)  
 Lipinski  
 LoBiondo  
 Loeb sack  
 Lofgren, Zoe  
 Lowey  
 Luján  
 Lummis  
 Lungren, Daniel  
 E.  
 Lynch  
 Maffei  
 Maloney  
 Manzullo  
 Markey (CO)  
 Markey (MA)  
 Marshall  
 Massa  
 Matheson  
 Matsui  
 McCarthy (CA)  
 McCarthy (NY)  
 McCollum  
 McCotter  
 McDermott  
 McGovern  
 McHenry  
 McIntyre  
 McNerney  
 Meek (FL)  
 Melancon  
 Michaud  
 Miller (MI)  
 Miller (NC)  
 Miller, George  
 Minnick  
 Mitchell  
 Mollohan  
 Moore (KS)  
 Moore (WI)  
 Moran (KS)  
 Moran (VA)  
 Murphy (CT)  
 Murphy (NY)  
 Murphy, Tim  
 Murtha  
 Myrick  
 Nadler (NY)  
 Napolitano  
 Neal (MA)  
 Nye  
 Oberstar  
 Obey  
 Oliver  
 Ortiz  
 Pallone  
 Pascarell  
 Pastor (AZ)  
 Paulsen  
 Payne  
 Perlmutter  
 Perriello  
 Peters  
 Peterson  
 Petri  
 Pierluisi  
 Pingree (ME)  
 Pitts  
 Platts  
 Polis (CO)  
 Pomeroy  
 Posey  
 Price (NC)  
 Putnam  
 Quigley  
 Rahall  
 Rangel  
 Rehberg  
 Reichert  
 Reyes  
 Richardson

## NOES—71

Akin  
 Austria  
 Bachmann  
 Bachus  
 Barrett (SC)  
 Boehner  
 Brady (TX)  
 Broun (GA)  
 Burgess  
 Burton (IN)  
 Calvert  
 Cantor  
 Carter  
 Castle  
 Cole  
 Conaway  
 Davis (KY)  
 Dreier  
 Flake  
 Foxx

Rodriguez  
 Roe (TN)  
 Rogers (AL)  
 Rogers (KY)  
 Rogers (MI)  
 Rooney  
 Ros-Lehtinen  
 Roskam  
 Ross  
 Rothman (NJ)  
 Roybal-Allard  
 Ruppersberger  
 Rush  
 Ryan (OH)  
 Sablan  
 Salazar  
 Sanchez, Loretta  
 Sarbanes  
 Schakowsky  
 Schauer  
 Schiff  
 Schrader  
 Schwartz  
 Scott (GA)  
 Scott (VA)  
 Sensenbrenner  
 Serrano  
 Sestak  
 Shadegg  
 Shea-Porter  
 Sherman  
 Shimkus  
 Shuler  
 Shuster  
 Simpson  
 Sires  
 Skelton  
 Slaughter  
 Smith (NE)  
 Smith (NJ)  
 Smith (WA)  
 Snyder  
 Souder  
 Space  
 Speier  
 Spratt  
 Stark  
 Stearns  
 Sutton  
 Tanner  
 Taylor  
 Teague  
 Terry  
 Thompson (CA)  
 Thompson (MS)  
 Tiahrt  
 Tiberi  
 Tierney  
 Titus  
 Tonko  
 Towns  
 Tsongas  
 Turner  
 Upton  
 Van Hollen  
 Velázquez  
 Visclosky  
 Walden  
 Walz  
 Wamp  
 Waters  
 Watson  
 Watt  
 Waxman  
 Weiner  
 Welch  
 Wexler  
 Whitfield  
 Wilson (OH)  
 Wilson (SC)  
 Wittman  
 Wolf  
 Woolsey  
 Wu  
 Young (AK)  
 Young (FL)

Franks (AZ)  
 Gallegly  
 Garrett (NJ)  
 Gingrey (GA)  
 Granger  
 Hall (TX)  
 Hastings (WA)  
 Hensarling  
 Himes  
 Inglis

Mr. Castle moves to recommit the bill H.R. 3639 to the Committee on Financial Services with instructions to report the same back to

the House forthwith with an amendment as follows:

Page 7, after 18, insert the following new section:

**SEC. 4. FEDERAL RESERVE CERTIFICATION.**

Not later than the end of the 1-week period beginning on the date of the enactment of this Act, the Board of Governors of the Federal Reserve System shall submit a report to the Congress certifying whether or not the implementation of necessary regulations under those provisions affected by the amendments made by section 2 and section 3 of this Act is feasible by December 1, 2009. Unless such certification states that such implementation is feasible by December 1, 2009, section 2 and section 3 of this Act shall have no force or effect.

□ 1445

The SPEAKER pro tempore. The gentleman from Delaware is recognized for 5 minutes.

Mr. CASTLE. Madam Speaker, let me just give a little background on all of this. This is not a very complex motion to recommit. This legislation, which I supported, by the way, in its original form, the Credit Card Accountability Responsibility and Disclosure Act of 2009, was negotiated, I think fairly, by the chairman of the committee and various members. It was on a parallel track with what the Federal Reserve was doing as a way of protecting consumers as well.

The legislation took precedence. It was considered in committee, and there was some negotiation about the date on which it would go into effect because of the time it would take for the various credit card companies and others involved in this process to be able to manage all of this. The date that was negotiated was February 22 of next year, 2010. That would have been about 3 or 4 months sooner than what the Federal Reserve had been considering, which I believe was in July of 2010.

In the interim period of time, there has been a lot of work by various people trying to put this into place, and a lot of things have happened in arguments which we've heard on the floor, that is, that some small businesses are being impacted by this, some people have lost credit or whatever, for better or for worse.

But the bottom line is that the various credit card companies have a lot of work to do to implement this, to put their plans into place, and some probably have done it better than others, if I had to guess. The bottom line is that I don't know, I can't judge this. I don't know if they are ready to do this by the date of December 1 or not.

So the motion to recommit is relatively simple. It basically indicates that the governors of the Federal Reserve System within no more than a 1-week period of time should submit a report to us in Congress about whether these provisions under the sections of this bill that would implement it, sections 2 and 3, should go into effect or because of the mechanics of doing this, it should wait until the February 22 date.

That is simply what it does. It doesn't change it. It doesn't alter it. It

just speaks to the date of all this going into place. There is a certain fairness issue in this, Madam Speaker, that we have to deal with. Even for those of us who supported this legislation, it seems to me that we're going back on these negotiations.

We're basically telling all the issuers out there, except for the smaller issuers—and I thank the chairman and others who worked on the rule change to eliminate some of the smaller issuers—but having said that, some of the others have to deal with this. They have to deal with their implementation. They have to deal with the question of whether they can do it in that kind of time or not.

As I have indicated, I don't know if any of us here can really stand in judgment of that, and we believe that the Federal Reserve is the best to do that. As a matter of fact, Sandra Bernstein, who is the Fed's own director of consumer affairs, testified at one of our hearings that the reason for this timeline is because card issuers would need to rethink their entire business models to reprogram their systems and redesign their marketing materials, solicitations, periodic statements, and contracts. It's all well and good for us to stand here as Members of Congress and say, Gee, we'll make this change that would benefit consumers or whatever, but it may not be practical.

I would encourage both sides of the aisle to listen to this. Indeed, if the Federal Reserve makes a decision—and I have no idea how they would judge it—but they make a decision that it could be done by December 1, we'll move ahead in that time. If they don't, it will be kept at the original time that was in the bill to begin with. In States like mine, which has a good deal of banking activity, and in States like Connecticut, New York, South Dakota, Nebraska, Rhode Island, the other States that have a lot of banking activity, this has been a very significant issue. They have already lost jobs in the banking world. They continue to.

My judgment is that we do need to give them the time to properly implement acts such as this. My sense is that we should at least review this before that determination is made that we can move it from February 22 to the December 1 date, which is in this legislation.

So I would encourage everybody here to look at this and to support it. It doesn't alter the fact that we are going to have this change. It just takes this date and allows it to be reviewed by people who have some expertise to determine if they should move forward at this point or not. So I would hope that this is a motion which could be considered by both sides of the aisle.

With that, I yield back the balance of my time.

Mr. FRANK of Massachusetts. Madam Speaker, I rise in opposition to the recommit motion.

The SPEAKER pro tempore. Is the gentleman opposed to the motion?

Mr. FRANK of Massachusetts. Yes, Madam Speaker.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. FRANK of Massachusetts. Madam Speaker, first, I will acknowledge—and the gentleman from Delaware was quite civil—I will acknowledge that this is a moderate approach. I only hope, given the current situation, he is not in political trouble for taking a moderate approach in his party, but that's a matter for another day.

The issue for me here is the extent to which many of my colleagues on the other side are engaged in an on-again/off-again love affair with the Federal Reserve. The Federal Reserve has often been the object of their scorn, but when it comes to consumer protection, the Federal Reserve is sometimes a convenient bulwark against that. For example, when the committee passed the Consumer Financial Protection Agency Act, which transfers more power from the Federal Reserve than any other group of Federal entities, many of my Republican colleagues ran to the defense of the Federal Reserve by quoting the Chairman of the Federal Reserve as saying, Don't take this away from us. We have this on-again/off-again.

What this bill does is really quite remarkable. It empowers the Federal Reserve to cancel an act of Congress. We are hoping to get this bill passed, and there was some concern in the Senate from the Senate chairman. And thanks to the amendment that was offered by the gentlewoman from New York (Mrs. MCCARTHY) and the gentlewoman from Colorado (Ms. MARKEY), we have accommodated his concerns. We think we have a workable proposal here.

What the recommit says is, if the bill passes the House and passes the Senate and is signed by the President, we will then wait for the permission of the Federal Reserve Board of Governors to implement it; and if they say it's not feasible, then the bill dies. In fact, they did write us, however, and say that if they had to do it by December 1—we wrote to them a couple of weeks ago—here is this problem that they wouldn't be able to get full comments in.

But they also note the Administrative Procedures Act does provide a good clause exception when the notice and comment period would be impractical, unnecessary, or contrary to the public interest.

So what they say is, if the effective date for these provisions were moved to December 1, the board would have to issue final regulations without waiting for comments. But the point is that they've had a lot of time for comments. The Federal Reserve proposed this earlier after the gentlewoman from New York initiated it. The President signed the bill, the underlying bill, the effective date of what we're trying to do in advance, on May 22. They've had—what is that, 5½ months to study it. This is not the most complicated thing in the world.

And by the way, if this was so complicated to figure out, how did the banks manage to be able to increase so quickly? Apparently, the banks have this problem: when it comes to implementing the law, they're working with typewriters. When it comes to raising your rates retroactively—remember, the biggest single part of this bill is that it says, if you've got a credit card and are abiding by the terms of that credit card, you bought things and you are charging them at the interest rate you were told would apply, and you make every payment you were obligated to make, they can retroactively raise your rates.

That is the biggest single thing we stopped. I don't see why it is going to take them 8 or 9 or 10 months or a year to figure it out. I thought February was too much time in the first place.

But here is the basic point: several of us said, okay, we will reluctantly agree to February for a bill that is passed in May, to do something that's not that complicated. But if you abuse it, if you use the time to raise rates and then blame us for it, adding insult to injury, then we are going to speed it up. So I think our credibility is at issue here. We in good faith said, take some time to implement it. May 22 until February. Many of you have heard what they did was to speed this up. There is an element of fairness here. And, yes, the Federal Reserve will have to forgo some public comments. I think I would say to people, You know, we have until December 1. If you are out there and you think the Federal Reserve is going to listen to you—Madam Speaker, let me violate the rule, please, and address people who aren't here. If you're listening, and you really need to talk to the Federal Reserve, write them a letter, send them an email, call them up. You don't have to wait. So we can get your comments in now, and we can go into effect by December 1.

We should certainly never set the precedent that any agency, and certainly not the Federal Reserve, which has become so controversial, should be given the power to suspend an act of Congress before it goes into effect. That is what this does. It says that we will pass this law; but unless it is certified as feasible by the Federal Reserve, it doesn't go into effect. I have a lot of respect for the Federal Reserve, but they're not in charge of what we think is feasible. They're not in charge of telling us that we have to wait more for public comments when our constituents, we believe, are being mistreated.

So I hope the motion to recommit is defeated.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

## RECORDED VOTE

Mr. CASTLE. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 171, noes 253, not voting 8, as follows:

[Roll No. 850]

## AYES—171

Aderholt	Franks (AZ)	Miller, Gary
Akin	Frelinghuysen	Moran (KS)
Alexander	Galeggly	Murphy, Tim
Austria	Garrett (NJ)	Myrick
Bachmann	Gingrey (GA)	Neugebauer
Bachus	Gohmert	Olson
Barrett (SC)	Goodlatte	Paulsen
Bartlett	Granger	Pence
Barton (TX)	Graves	Petri
Biggert	Guthrie	Pitts
Bilbray	Hall (TX)	Platts
Bilirakis	Harper	Poe (TX)
Bishop (UT)	Hastings (WA)	Posey
Blackburn	Heller	Price (GA)
Blunt	Hensarling	Putnam
Boehner	Herger	Radanovich
Bonner	Hereth Sandlin	Rehberg
Bono Mack	Hoekstra	Reichert
Boozman	Hunter	Roe (TN)
Boustany	Inglis	Rogers (AL)
Brady (TX)	Issa	Rogers (KY)
Broun (GA)	Jenkins	Rogers (MI)
Brown (SC)	Johnson (IL)	Rohrabacher
Brown-Waite,	Johnson, Sam	Rooney
Ginny	Jordan (OH)	Ros-Lehtinen
Buchanan	King (IA)	Roskam
Burgess	King (NY)	Royce
Burton (IN)	Kingston	Ryan (WI)
Buyer	Kirk	Scalise
Calvert	Kline (MN)	Schmidt
Camp	Lamborn	Schock
Campbell	Lance	Sensenbrenner
Cantor	Latta	Sessions
Cao	Lee (NY)	Shadegg
Capito	Lewis (CA)	Shimkus
Carter	Linder	Shuster
Cassidy	LoBiondo	Smith (NE)
Castle	Lucas	Smith (NJ)
Chaffetz	Luetkemeyer	Smith (TX)
Coble	Lummis	Souder
Coffman (CO)	Lungren, Daniel	Stearns
Cole	E.	Sullivan
Conaway	Mack	Terry
Crenshaw	Manzullo	Thompson (PA)
Culberson	Marchant	Thornberry
Davis (KY)	McCarthy (CA)	Tiahrt
Dent	McCaul	Tiberi
Diaz-Balart, L.	McClintock	Turner
Diaz-Balart, M.	McCotter	Upton
Dreier	McHenry	Walden
Duncan	McKeon	Wamp
Ehlers	McMahon	Westmoreland
Fallin	McMorris	Whitfield
Flake	Rodgers	Wilson (SC)
Fleming	Melancon	Wittman
Forbes	Mica	Wolf
Fortenberry	Miller (FL)	Young (AK)
Fox	Miller (MI)	Young (FL)

## NOES—253

Abercrombie	Boswell	Clyburn
Ackerman	Boucher	Cohen
Adler (NJ)	Boyd	Connolly (VA)
Altmire	Brady (PA)	Conyers
Andrews	Bright	Cooper
Arcuri	Brown, Corrine	Costa
Baca	Butterfield	Costello
Baird	Capps	Courtney
Baldwin	Capuano	Crowley
Barrow	Cardoza	Cuellar
Bean	Carnahan	Cummings
Becerra	Carney	Dahlkemper
Berkley	Carson (IN)	Davis (AL)
Berman	Castor (FL)	Davis (CA)
Berry	Chandler	Davis (IL)
Bishop (GA)	Childers	DeFazio
Bishop (NY)	Chu	DeGette
Blumenauer	Clarke	DeLaunt
Bocciari	Clay	DeLauro
Boren	Cleaver	Dicks

Dingell	Kratovil	Quigley
Doggett	Kucinich	Rahall
Donnelly (IN)	Langevin	Rangel
Doyle	Larsen (WA)	Reyes
Driehaus	Larson (CT)	Richardson
Edwards (MD)	Latham	Rodriguez
Edwards (TX)	LaTourette	Ross
Ellison	Lee (CA)	Rothman (NJ)
Ellsworth	Levin	Royal-Allard
Emerson	Lewis (GA)	Ruppersberger
Engel	Lipinski	Rush
Eshoo	Loeb	Ryan (OH)
Etheridge	Loftgren, Zoe	Salazar
Farr	Lowey	Sanchez, Loretta
Fattah	Lujan	Sarbanes
Filner	Lynch	Schakowsky
Foster	Maffei	Schauer
Frank (MA)	Maloney	Schiff
Fudge	Markey (CO)	Schrader
Giffords	Markey (MA)	Schwartz
Gonzalez	Marshall	Scott (GA)
Gordon (TN)	Massa	Scott (VA)
Grayson	Matheson	Serrano
Green, Al	Matsui	Sestak
Green, Gene	McCarthy (NY)	Shea-Porter
Griffith	McCollum	Sherman
Grijalva	McDermott	Shuler
Gutierrez	McGovern	Simpson
Hall (NY)	McIntyre	Sires
Halvorson	McNerney	Skelton
Hare	Meek (FL)	Slaughter
Harman	Meeks (NY)	Smith (WA)
Hastings (FL)	Michaud	Snyder
Heinrich	Miller (NC)	Space
Higgins	Miller, George	Speier
Hill	Minnick	Spratt
Himes	Mitchell	Stark
Hinche	Mollohan	Sutton
Hinojosa	Moore (KS)	Tanner
Hirono	Moore (WI)	Taylor
Hodes	Moran (VA)	Teague
Holden	Murphy (CT)	Thompson (CA)
Holt	Murphy (NY)	Thompson (MS)
Honda	Murtha	Tierney
Hoyer	Nadler (NY)	Titus
Inslie	Napolitano	Tonko
Israel	Neal (MA)	Towns
Jackson (IL)	Nye	Tsongas
Jackson-Lee	Oberstar	Van Hollen
(TX)	Obey	Velázquez
Johnson (GA)	Oliver	Visclosky
Johnson, E. B.	Ortiz	Walz
Jones	Pallone	Wasserman
Kagen	Pascarella	Schultz
Kanjorski	Pastor (AZ)	Waters
Kaptur	Paul	Watson
Kennedy	Payne	Watt
Kildee	Perlmutter	Waxman
Kilpatrick (MI)	Perriello	Weiner
Kilroy	Peters	Welch
Kind	Peterson	Wexler
Kirkpatrick (AZ)	Pingree (ME)	Wilson (OH)
Kissell	Pollis (CO)	Woolsey
Klein (FL)	Pomeroy	Wu
Kosmas	Price (NC)	Yarmuth

## NOT VOTING—8

Braley (IA)	Gerlach	Sánchez, Linda
Davis (TN)	Murphy, Patrick	T.
Deal (GA)	Nunes	Stupak

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1517

Ms. WATERS, Messrs. VISCLOSKEY, QUIGLEY, and Ms. SLAUGHTER changed their vote from “aye” to “no.” So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

## RECORDED VOTE

Mr. FRANK of Massachusetts. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.



The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 331, noes 92, not voting 9, as follows:

[Roll No. 851]

AYES—331

Abercrombie	Duncan	Lowey
Ackerman	Edwards (MD)	Luján
Aderholt	Edwards (TX)	Lungren, Daniel
Adler (NJ)	Ehlers	E.
Altmire	Ellison	Lynch
Andrews	Ellsworth	Mack
Arcuri	Emerson	Maffei
Baca	Engel	Maloney
Baird	Eshoo	Markey (CO)
Baldwin	Etheridge	Markey (MA)
Barrow	Farr	Marshall
Bartlett	Fattah	Massa
Barton (TX)	Filner	Matheson
Bean	Forbes	Matsui
Becerra	Fortenberry	McCarthy (NY)
Berkley	Foster	McCaul
Berman	Frank (MA)	McCotter
Berry	Frelinghuysen	McDermott
Biggart	Fudge	McGovern
Bilbray	Gallely	McIntyre
Bilirakis	Giffords	McMahon
Bishop (GA)	Gonzalez	McNerney
Bishop (NY)	Gordon (TN)	Meek (FL)
Blumenauer	Graves	Meeks (NY)
Blunt	Grayson	Melancon
Boccieri	Green, Al	Michaud
Bono Mack	Green, Gene	Miller (MI)
Boozman	Griffith	Miller (NC)
Boren	Grijalva	Miller, George
Boswell	Gutierrez	Minnick
Boucher	Hall (NY)	Mitchell
Boyd	Halvorson	Mollohan
Brady (PA)	Hare	Moore (KS)
Bright	Harman	Moore (WI)
Brown (SC)	Hastings (FL)	Moran (KS)
Brown, Corrine	Heinrich	Moran (VA)
Brown-Waite,	Higgins	Murphy (CT)
Ginny	Hill	Murphy (NY)
Buchanan	Himes	Murphy, Tim
Burgess	Hinche	Murtha
Butterfield	Hinojosa	Nadler (NY)
Buyer	Hirono	Napolitano
Calvert	Hodes	Neal (MA)
Camp	Hoekstra	Nye
Cao	Holden	Oberstar
Capito	Holt	Obey
Capps	Honda	Oliver
Capuano	Hoyer	Ortiz
Cardoza	Hunter	Pallone
Carnahan	Inslee	Pascarell
Carney	Israel	Pastor (AZ)
Carson (IN)	Issa	Paulsen
Cassidy	Jackson (IL)	Payne
Castor (FL)	Jackson-Lee	Perlmutter
Childers	(TX)	Perriello
Chu	Johnson (GA)	Peters
Clarke	Johnson (IL)	Peterson
Clay	Johnson, E. B.	Petri
Cleaver	Jones	Pingree (ME)
Clyburn	Kagen	Platts
Cohen	Kanjorski	Polis (CO)
Connolly (VA)	Kaptur	Pomeroy
Conyers	Kennedy	Posey
Cooper	Kildee	Price (NC)
Costa	Kilpatrick (MI)	Putnam
Costello	Kilroy	Quigley
Courtney	Kind	Rahall
Crenshaw	King (NY)	Rangel
Crowley	Kingston	Rehberg
Cuellar	Kirk	Reichert
Cummings	Kirkpatrick (AZ)	Reyes
Dahlkemper	Kissell	Richardson
Davis (AL)	Klein (FL)	Rodriguez
Davis (CA)	Kosmas	Roe (TN)
Davis (IL)	Kratovil	Rogers (AL)
Davis (TN)	Kucinich	Rogers (KY)
DeFazio	Lance	Rogers (MI)
DeGette	Langevin	Rooney
Delahunt	Larsen (WA)	Ros-Lehtinen
DeLauro	Larson (CT)	Ross
Dent	Latham	Rothman (NJ)
Diaz-Balart, L.	LaTourette	Roybal-Allard
Diaz-Balart, M.	Lee (CA)	Ruppersberger
Dicks	Lee (NY)	Rush
Dingell	Levin	Ryan (OH)
Doggett	Lewis (GA)	Salazar
Donnelly (IN)	Lipinski	Sanchez, Loretta
Doyle	LoBiondo	Sarbanes
Dreier	Loeback	Schakowsky
Driehaus	Lofgren, Zoe	Schauer

Schiff	Space
Schock	Speier
Schrader	Spratt
Schwartz	Stark
Scott (GA)	Sutton
Scott (VA)	Tanner
Serrano	Taylor
Sestak	Teague
Shea-Porter	Thompson (CA)
Sherman	Thompson (MS)
Shimkus	Tiberi
Shuler	Tierney
Shuster	Titus
Simpson	Tonko
Sires	Towns
Skelton	Tsongas
Slaughter	Turner
Smith (NJ)	Upton
Smith (TX)	Van Hollen
Smith (WA)	Velázquez
Snyder	Visclosky
Souder	Walden

NOES—92

Akin	Gingrey (GA)
Alexander	Gohmert
Austria	Goodlatte
Bachmann	Granger
Bachus	Guthrie
Barrett (SC)	Hall (TX)
Bishop (UT)	Harper
Blackburn	Hastings (WA)
Boehner	Heller
Bonner	Hensarling
Boustany	Herger
Brady (TX)	Hereth Sandlin
Broun (GA)	Inglis
Burton (IN)	Jenkins
Campbell	Johnson, Sam
Cantor	Jordan (OH)
Carter	King (IA)
Castle	Kline (MN)
Chaffetz	Lamborn
Coble	Latta
Coffman (CO)	Lewis (CA)
Cole	Linder
Conaway	Lucas
Culberson	Luetkemeyer
Davis (KY)	Lummis
Fallin	Manzullo
Flake	Marchant
Fleming	McCarthy (CA)
Foxx	McClintock
Franks (AZ)	McHenry
Garrett (NJ)	McKeon

NOT VOTING—9

Braley (IA)	McCollum	Sánchez, Linda
Chandler	Murphy, Patrick	T.
Deal (GA)	Nunes	Stupak
Gerlach		

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in the vote.

□ 1525

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. CHANDLER. Madam Speaker, during rollcall vote No. 851 on H.R. 3639, I was unavoidably detained. Had I been present, I would have voted "aye."

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

## COMMISSIONING OF THE USS "NEW YORK" LPD 21

Mr. TAYLOR. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 856) recognizing the Commissioning of the USS *New York* LPD 21.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 856

Whereas, on September 11, 2001, terrorists hijacked four civilian aircraft, crashing two of them into the twin towers of the World Trade Center in New York City, a third into the Pentagon, and a fourth near Shanksville, Pennsylvania;

Whereas nearly 3,000 people were killed on September 11, 2001, in the most lethal terrorist attack ever committed against the United States;

Whereas then-Governor George Pataki requested the Navy name a ship involved in counterterrorism efforts after the State of New York shortly after September 11, 2001;

Whereas, on September 6, 2002, the Secretary of the Navy announced the name of the fifth vessel of the San Antonio-class Amphibious Transport Dock ships would be named USS *New York* LPD 21;

Whereas, on March 1, 2008, the USS *New York* LPD 21 was christened at the Avondale Shipyard in Avondale, Louisiana, by Mrs. Doty England, in a ceremony attended by officials of the New York City fire and police departments as well as surviving family and friends of those lost on September 11, 2001;

Whereas the USS *New York* LPD 21's bow is comprised of 7.5 tons of steel forged from the wreckage of the World Trade Center and erected onto the vessel in conjunction with a dignified ceremony conducted on September 9, 2003, and attended by officials of the New York City fire and police departments as well as surviving family and friends of those lost on September 11, 2001;

Whereas the USS *New York* LPD 21 is the newest entry to the Navy's fleet of San Antonio-class Amphibious Transport Dock (LPD) warships;

Whereas the USS *New York* LPD 21 will serve as an integral part of Navy and Marine Corps Expeditionary Strike Groups and will be able to deploy 700 Marines and associated equipment of the Strike Group Marine Expeditionary Unit;

Whereas the USS *New York* LPD 21's primary mission will be to deploy amphibious assault capability anywhere in the world, on short notice, and that this force is the only force in the United States Armed Forces with such capability, and that such amphibious operation is central and key to suppression of terrorist organizations;

Whereas the USS *New York* LPD 21 displaces 24,900 tons at sea, with the capability of cruising at speeds in excess of 22 knots;

Whereas everyday, the men and women of the United States Armed Forces continue global efforts to protect and defend the United States;

Whereas nearly 10 percent of the commissioning crew of USS *New York* LPD 21 hail from the Empire State;

Whereas the USS *New York* LPD 21 has a main passageway dubbed "Broadway", the ship's insignia references the Statue of Liberty, the Twin Towers, the New York Police Department, and the Fire Department of New York, and the galley features a pre-9/11 neon outline of the city;

Whereas the motto of the USS *New York* LPD 21 is "Strength Forged Through Sacrifice. Never Forget"; and

Whereas the USS New York LPD 21 will be officially commissioned November 7, 2009, Commander F. Curtis Jones, United States Navy, commanding, a native son of New York, in New York waters on Pier 88 on the West Side of New York City next to the USS Intrepid CV 11: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) recognizes the commissioning of the USS New York LPD 21;

(2) congratulates the captain and commissioning crew of the USS New York LPD 21 on the occasion of their vessel entering into the service of the United States Navy;

(3) recognizes the sacrifices made by the men and women in uniform who put themselves in harm's way in order to protect and defend the United States;

(4) honors those who lost their lives at the World Trade Center, the Pentagon, and Shanksville, Pennsylvania, on September 11, 2001; and

(5) recommitment itself to the counter-terrorism mission of the USS New York LPD 21 and all the members of the United States Armed Forces.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Mississippi (Mr. TAYLOR) and the gentleman from Colorado (Mr. LAMBORN) each will control 20 minutes.

The Chair recognizes the gentleman from Mississippi.

GENERAL LEAVE

Mr. TAYLOR. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. TAYLOR. Madam Speaker, I yield myself such time as I may consume.

I rise today to support House Resolution 856, recognizing the commissioning of the USS *New York*. I would like to thank my colleague, the gentleman from New York (Mr. NADLER), for his work in bringing this resolution to the floor.

The attacks in New York, Washington, and Pennsylvania on September 11, 2001, will live on in American memory as one of the darkest days in our Nation's history. We can never forget the images of the members of the New York City Fire Department and Police Department, as well as other first responders, who demonstrated unsurpassed courage and bravery as they worked day and night to retrieve and rescue victims from Ground Zero. In the days shortly after September 11, Governor George Pataki asked the Navy to name a ship involved in counterterrorism after the State of New York to honor the sacrifice and strength of the people lost that fateful day.

On November 7, 2009, the fifth San Antonio-class amphibious transport dock ship will be commissioned as the USS *New York* LPD 21. The ship's bow is comprised of 7½ tons of steel forged from the World Trade Center wreckage. F. Curtis Jones, a native son of New York, will serve as Commander. The

USS *New York* will be able to deploy 700 marines and equipment to execute amphibious assault capability anywhere in the world on a moment's notice. This ability is critical to our ongoing efforts to suppress terrorist organizations, as well as protect and defend the United States of America.

Madam Speaker, I hope my colleagues will join me in congratulating the captain and commissioning crew of the USS *New York* as their ship joins the United States Navy by supporting H. Res. 856.

As a Mississippian, I want to commend the Mississippi, Louisiana, Texas, and Alabama shipbuilders who built this fine vessel.

I reserve the balance of my time.

Mr. LAMBORN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in support of House Resolution 856, which was introduced by the gentleman from New York (Mr. NADLER).

This resolution recognizes the commissioning of the USS *New York*, the newest of the U.S. Navy's San Antonio-class ships known as the landing platform dock, or LPD.

□ 1530

As has already been stated by my colleague, this is no ordinary commissioning. On Monday this week, it arrived in New York Harbor to fanfare, including a 21-gun salute near the site of the 2001 terrorist attack.

It was September 2002, in a ceremony aboard the USS *Intrepid* in New York City, that then-Secretary of the Navy Gordon England announced the decision to name the fifth amphibious ship of the San Antonio class the *New York*. During the ceremony, Secretary England stated, "USS *New York* will project American power to the far corners of the Earth and support the cause of freedom well into the 21st century. From the war for independence through the war on terrorism, which we wage today, the courage and heroism of the people of New York have been an inspiration."

During that same ceremony in 2002, Governor Pataki highlighted one special aspect of this new ship: "We are very proud that the twisted steel from the World Trade Center towers will soon be used to forge an even stronger national defense. The USS *New York* will soon be defending freedom and combating terrorism around the globe while also ensuring that the world never forgets the evil attacks of September 11, 2001, and the courage and strength New Yorkers showed in response to terror."

I am honored to speak in favor of this resolution, and I urge my colleagues to join me in support of House Resolution 856.

Madam Speaker, I reserve the balance of my time.

Mr. TAYLOR. Madam Speaker, I yield such time as he may consume to my friend and colleague, the original

sponsor of this measure, the gentleman from New York (Mr. NADLER).

Mr. NADLER of New York. I thank the gentleman for yielding.

Madam Speaker, I rise in support of this resolution recognizing the commissioning of the USS *New York* LPD 21.

When the USS *New York* is commissioned on Saturday, it will serve as a memorial of September 11, 2001, in more than just name. Its bow, made from 7.5 tons of steel forged from the wreckage of the World Trade Center, will serve as evidence of America's persistent determination.

This ship will serve in our Navy, will serve to defend freedom, and will serve to recognize the fearless amongst us, those who willingly sacrifice their safety in order to protect our own and our freedom. The bravery and dedication of our men and women in uniform serving overseas never cease to amaze me and can never be forgotten.

I want to commend the captain, Commander Curt Jones, a native New Yorker, and the crew of the USS *New York* and the United States Navy on the commissioning of our newest naval vessel. The presence of the USS *New York* in the naval fleet will serve as a constant reminder of the sacrifices made by so many Americans on September 11, 2001.

The Navy should be commended for naming the ship the USS *New York* and for naming two future San Antonio class vessels, the USS *Somerset* and the USS *Arlington*, currently under construction in honor of those who gave their lives defending the country at the Pentagon and on United Flight 93 on September 11. This is a fitting tribute to our fallen friends.

Thousands died on September 11, 2001, at the World Trade Center, at the Pentagon, and near Shanksville, Pennsylvania, and many more police, firefighters, first responders, residents, workers, school children, and others continue to suffer terrible health consequences as a result of the collapse of the World Trade Center towers because of the attacks by the terrorists.

I want to take a brief moment today to note and to urge my colleagues to support the 9/11 Health and Compensation Act, H.R. 847, which would provide health care and a path to compensation for the first responders and community members who still suffer the effects of that terrible attack. We ought to honor their continuing sacrifices today as well.

I would like to thank the entire New York delegation who joined me as original cosponsors of this resolution, and also all the additional cosponsors of H. Res. 856 who, by their actions, have helped us move this resolution so quickly to the House floor. I must also thank Chairman SKELTON and his staff for their help in crafting the resolution and building support for its passage. Furthermore, I was pleased that we were able to do this in a bipartisan fashion, and I want to thank Ranking

Member McKEON for cosponsoring the resolution as well.

I am proud to say there are some things that rise above partisan politics. Supporting our troops, honoring those who defend us, and honoring the victims of September 11 is neither Democratic nor Republican; it is simply American. This resolution can be characterized the same way. I urge everyone to support it.

Mr. LAMBORN. Madam Speaker, I am once again urging all of my colleagues to support this wonderful resolution. I am proud that I can do so as well.

Madam Speaker, I yield back the balance of my time.

Mr. TAYLOR. Madam Speaker, again, I would like to thank the gentleman—one of the many gentle men and women from the State of New York—for introducing this resolution, and I encourage every Member to vote for it.

Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Mississippi (Mr. TAYLOR) that the House suspend the rules and agree to the resolution, H. Res. 856.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. NADLER of New York. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### HONORING CURRENT AND FORMER FEMALE MEMBERS OF THE ARMED FORCES

Mrs. DAVIS of California. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 868) honoring and recognizing the service and achievements of current and former female members of the Armed Forces.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

##### H. RES. 868

Whereas women are and have historically been an important part of all United States war efforts, voluntarily serving in every military conflict in United States history since the Revolutionary War;

Whereas 34,000 women served in World War I, 400,000 served in World War II, 120,000 served in the Korean War, over 7,000 served in the Vietnam War, and more than 41,000 served in the first Gulf War;

Whereas more than 185,000 women have been deployed in support of Operation Enduring Freedom, Operation Iraqi Freedom, and other missions since 2001;

Whereas over 350 servicewomen have given their lives for the Nation in combat zones

since World War I, and more than 85 have been held as prisoners of war;

Whereas over 350,000 women serving in the Armed Forces make up approximately 15 percent of active duty personnel, 15 percent of Reserves, and 17 percent of the National Guard;

Whereas women are now playing an increasingly important role in America's military forces; and

Whereas the women of America's military, past and present, have served their Nation in times of peace and war, at great personal sacrifice for both themselves and their families: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) honors and recognizes the service and achievements of current and former female members of the Armed Forces;

(2) encourages all people in the United States to recognize the service and achievements of women in the military and female veterans on Memorial Day;

(3) encourages all people in the United States to learn about the history of service and achievements of women in the military; and

(4) supports groups that raise awareness about the service and achievements of women in the military and female veterans through exhibitions, museums, statues, and other programs and activities.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Mrs. DAVIS) and the gentleman from Colorado (Mr. LAMBORN) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

##### GENERAL LEAVE

Mrs. DAVIS of California. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days with which to revise and extend their remarks on the resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Mrs. DAVIS of California. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, every time I visit military installations I am constantly impressed by the tremendous job our servicemembers are doing.

Today, I rise to pay special tribute to the women of America's military, past and present, who have served their Nation in peace and at war at great personal sacrifice for both themselves and their families.

With Veterans Day approaching, we should recognize that our servicewomen play an increasingly important role in America's modern military forces, and our country is the better for it.

As Chair of the House Armed Services Subcommittee on Military Personnel and co-Chair of the Women's Caucus Task Force on Women in the Military and Veterans, I am privileged to honor the legacy of servicewomen in the past, the courage with which women serve today, and the enthusiasm of the young women who dream of serving this great Nation in the future. Part of honoring them is asking

the tough questions about the expanding roles our servicewomen are taking on. We hear from women in the military, in person and through the media, about their contributions in combat zones and their willingness to risk their lives in defense of their fellow servicemembers, our country, and our families.

Last year, Madam Speaker, I had the opportunity to meet a group of servicewomen that are an extraordinary example of what female servicemembers are capable of. Their mission is to provide culturally sensitive search and engagement activities for combat units deployed in Iraq and Afghanistan. They are referred to as the Lionesses, and this is a very apt name. Like a lioness, their work demands a unique combination of sensitivity and strength on the ground, underlined by loyalty to their units and their country.

In my conversations with them, I was astounded by their work and their bravery. And yet, despite that dedication, these women have encountered difficulties in gaining proper recognition for their service, both within the services and in seeking assistance from the Department of Veterans Affairs.

A recent article in the New York Times underscores this problem. Female veterans worry that their combat-related physical and psychological injuries will not be validated by a military system that defines combat as an all-male activity. Because the military and the VA have not adapted to the reality of women's roles, these veterans often have to work harder than they should to prove their eligibility for benefits and combat titles that they so greatly deserve. For example, servicewomen who volunteered to accompany units during the Battle of Fallujah in 2004 have had to rely on the support of an outside organization to get recognized for their work under fire so that they can receive health care and disability benefits from the Department of Veterans Affairs.

Yet, it's not just agencies that must catch up. Female veterans confront confusion and sometimes outright disbelief about their service from those of us on the homefront. This continuous demand for proof can be exasperating. They deserve better. One veteran explained that she no longer cared about getting money; she simply wanted a little more recognition. In her own words, "Just admit it happened."

Resolutions like this one today before the House help show support for women like the Lionesses and all of the other female servicemembers and veterans, but it is legislation like the National Defense Authorization Act that truly puts our congressional sentiments into action.

Last week, I had the chance to stand by the President as he signed the NDAA into law. Contained in the House report of that bill were provisions to better recognize the service of these courageous women by reviewing the way the additional duties some servicemembers perform are documented.

There were also provisions to ensure a systematic training program that takes into account the unique mission for which Lionesses have volunteered so that they feel just as equipped as their male counterparts when on active duty.

I will continue to work to ensure women in the military are treated equally and with respect, and that they receive all of the training, the support, and the services that they need. They certainly deserve nothing less.

The dedication of women in the Armed Forces and the insight they offer about it is invaluable, but they are adamant that they do not want to be treated differently. They do not seek special recognition, but their service is just as real as their counterparts'. This resolution recognizes the sacrifices our servicewomen and their families make to keep everyone's family safe.

Madam Speaker, thank you for the opportunity to offer this resolution. I urge my colleagues to join me in supporting it.

I reserve the balance of my time.

Mr. LAMBORN. Madam Speaker, I yield myself such time as I might consume.

Madam Speaker, I rise, too, in support of House Resolution 868, which honors and recognizes the service and achievements of current and former female members of the Armed Forces.

Throughout this great Nation's history, women have answered the call without hesitation to defend our democracy and freedom. Since colonial America, women have fought for our independence and have continued to serve with distinction in some capacity in every one of our Nation's conflicts. Before women were formally allowed to serve in the military, they served on the battlefields as nurses, water-bearers, cooks, and saboteurs.

Since 1901, when the Army Nurse Corps was established and formally granted women rank and military status, hundreds of thousands of women have served with honor in the Armed Forces. They have never shirked responsibility, shied away from tough jobs, or hesitated to go in harm's way; 34,000 women served in World War I, 400,000 in World War II, 120,000 in the Korean War, over 7,500 in Vietnam, and over 41,000 served in Desert Storm, the first Gulf War.

Today, over 350,000 women are serving in our Armed Forces. Over 190,000 have deployed to Iraq, Afghanistan, and other unheard of troubled spots around the world to help rid the world of tyranny and terrorism. They serve on land, at sea, and in the air, performing the technically challenging and dangerous missions we hear of in the news, including pilots, military police, and convoy truck drivers.

These women, just like the men in our Armed Forces, are volunteers. They have always been volunteers. They have chosen to serve and chosen to make the sacrifices that are inher-

ent in military service. They endure long hours, long separations from loved ones, and the hardships and horrors of combat. These women have been wounded, imprisoned, and have paid the ultimate price for their devotion and duty to this great country.

It is without question that our military forces are unsurpassed. It is also undeniable that women have played a significant role in developing the extraordinarily capable military we are so proud of today.

□ 1545

Military women have been pioneers in computer science, space, undersea exploration, and medicine. Through their accomplishments, America has made great strides in technology, mathematics, and engineering.

Next week, as we take the time to remember our veterans, I ask that all Americans take a moment to thank the men and women who serve today and who have served our Armed Forces in the past. I strongly urge all Members to support this resolution.

I reserve the balance of my time.

Mrs. DAVIS of California. Madam Speaker, I yield 2 minutes to my friend and colleague, the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. I thank the gentlewoman from California for yielding to me and for her great leadership on behalf of members of our Armed Forces and, in particular, the women.

Madam Speaker, I rise in strong support of House Resolution 868, a resolution to honor women serving in our military and women veterans.

As co-Chair of the Congressional Caucus for Women's Issues, I am happy to be saluting the 350,000 hardworking, brave and dedicated women serving in our Armed Forces. I particularly want to say a special "thank you" to the 54,000 women veterans, living in my State of Illinois, for their commitment to our freedom.

Women have logged more than 170,000 tours of duty in Iraq and Afghanistan; 30,000 single mothers have served their country in those two wars. They have sacrificed time with their families, time from their careers here at home, and many have sacrificed their lives. It is only right that we recognize them in this Chamber today.

Year after year, we have seen the numbers of both women veterans and active duty members increase. Women are in leadership roles, and they have ascended to the highest ranks of our Armed Forces through hard work and often in the face of extreme opposition. We will continue to stand with them.

I am proud to stand in support of House Resolution 868. I urge my colleagues to support the thousands of women servicemembers and veterans by passing H. Res. 868.

Mr. LAMBORN. Madam Speaker, I yield such time as she might consume to the gentlewoman from Oklahoma (Ms. FALLIN). I want to say that she has been a welcomed and strong addition to the Armed Services Committee.

Ms. FALLIN. Madam Speaker, as a member of the Armed Services Committee and also as co-Chair of the Women's Congressional Caucus, I am very proud to support H. Res. 868, honoring the service and achievements of women in the Armed Forces and our female veterans.

With Veterans Day just around the corner, I know that many Americans will stop this week and will thank veterans in their families or in their communities. They may meet a young soldier back from a tour of duty in Iraq and will quietly thank God that they were born in a Nation where freedom is valued and where our ideals that we have fought for are still alive and well, or they may pause to remember a loved one who is no longer with us who proudly wore the uniform.

Today, it is becoming likely that a veteran may be a woman. While men still outnumber women in the Armed Forces, military service is no longer a career choice for men only. There are many to whom we must offer thanks who are women. We have had over 200,000 women in the military, serving in all five branches, in the National Guard and in the Reserves. These women are heroes and are role models for their willingness to step in harm's way. When women choose to serve their country, they prove that there is no profession and no honor out of the reach for women of America today.

As we have since the Revolution, women are playing a vital role in the defense of our Nation. Today, deployed in two different theaters and in every corner of the world, women have played a significant role in our victory and success; but as we remember their accomplishments, we must remember those who have made the ultimate sacrifice. Since the United States went to war in Iraq and Afghanistan, over 122 women in uniform have lost their lives in support of our ongoing operations. Their sacrifice and the sacrifice of their families is very painful, but it is a sacrifice of freedom.

When faced with such sadness, it is easy to feel only the loss. While it is our duty to mourn the fallen, it is also our duty to honor those who have served with dignity and who have returned to take their places back among society. Those women today have answered that call. They chose to serve in the military. They did so because they believed in America—in freedom and in the power of our American ideals—and they believed in the need to protect those ideals here and abroad.

Today, there are more women than ever choosing to serve our country. They are pilots; they are engineers; they are commanders of ships; they are military police; they are nurses. These transitions, by the way, have not come without controversy. We have, or are working through, many of them and are finding that women are bringing new and vital skill sets to today's modern military with courage and, certainly, with honor.

By supporting House Resolution 868, we can send a clear message to our women in the military and to our women veterans in all areas that your service is not forgotten, that we honor and respect you and that we appreciate your courage, your patriotism, and your sacrifice. Today, we recognize that service.

Mr. LAMBORN. Madam Speaker, I yield back the balance of my time.

Mrs. DAVIS of California. Madam Speaker, it has really been an honor to present this resolution today.

I was recalling the trip that we last made to Kandahar, Afghanistan. We had an opportunity to meet with about 40-plus, maybe 50, women there in all of the different services, just asking them about why they were there and about why they joined the service. The kind of work they were doing was truly inspiring; and, of course, they always wanted to tell us about their children, who were at home.

These women are providing a tremendous service to our country. We honor them, and I certainly encourage and know that all of my colleagues will be supporting this resolution.

Mr. SKELTON. Madam Speaker, I rise to express my support for H. Res. 868 and to request that the following exchange of letters regarding this resolution be included in the CONGRESSIONAL RECORD.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON VETERANS' AFFAIRS,  
Washington, DC, October 28, 2009.

Hon. IKE SKELTON,  
Chairman, Committee on Armed Services, House  
of Representatives, Rayburn House Office  
Building, Washington, DC.

DEAR MR. CHAIRMAN: On October 23, 2009, H. Res. 868, "Honoring and recognizing the service and achievements of current and former female members of the Armed Forces," was introduced in the House of Representatives. This measure was sequentially referred to the Committee on Veterans' Affairs.

The Committee on Veterans' Affairs recognizes the importance of H. Res. 868 and the need to move this resolution expeditiously in order to honor the current and former female members of the Armed Forces. Therefore, while we have valid jurisdictional claims to this resolution, the Committee on Veterans' Affairs will waive further consideration of H. Res. 868. The Committee does so with the understanding that by waiving further consideration of this resolution it does not waive any future jurisdictional claims over similar measures.

I would appreciate the inclusion of this letter and a copy of your response in the Congressional Record during consideration of H. Res. 868 on the House floor.

Sincerely,

BOB FILNER,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON ARMED SERVICES,  
Washington, DC, November 2, 2009.

Hon. BOB FILNER,  
Chairman, House Committee on Veterans' Affairs,  
Cannon House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding House Resolution 868, "Honoring and recognizing the service and achievements of current and former female members of the Armed Forces." This measure

was referred to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

I agree that the Committee on Veterans' Affairs has certain valid jurisdictional claims to this resolution, and I appreciate your decision to waive further consideration of H. Res. 868 in the interest of expediting consideration of this important measure. I agree that by agreeing to waive further consideration, the Committee on Veterans' Affairs is not waiving its jurisdictional claims over similar measures in the future.

During consideration of this measure on the House floor, I will ask that this exchange of letters be included in the Congressional Record.

Very truly yours,

IKE SKELTON,  
Chairman.

Ms. JACKSON-LEE of Texas. Madam Speaker, I rise before you today in support of H. Res. 868, "Honoring and recognizing the service and achievements of current and former female members of the Armed Forces." I would like to thank my colleague, Representative DAVIS, for introducing this resolution.

As a member of the Congressional Caucus for Women's Issues I think that it is important to recognize our sisters in uniform. Today over 350,000 women serving in the Armed Forces make up approximately 15 percent of active duty personnel, 15 percent of Reserves, and 17 percent of the National Guard. Women are often overlooked and underappreciated in the military even though women are and have historically been an important part of all United States war efforts, voluntarily serving in every military conflict in United States history since the Revolutionary War.

The first American woman soldier was Deborah Sampson of Massachusetts. She enlisted as a Continental Army soldier under the name of "Robert Shurtliff." She served for 3 years in the Revolutionary War and was wounded twice; she cut a musket ball out of her own thigh so no doctor would find out she was a woman. Finally, at the end of the hostilities her secret was discovered—even so, George Washington gave her an honorable discharge. She later lectured on her experiences and became a champion of women's rights.

The Woman's Army Auxiliary Corps was established in the United States in 1941. However, political pressures stalled the attempts to create more roles for women in the American Armed Forces. Women saw combat during World War II, first as nurses in the Pearl Harbor attacks on December 7, 1941. The Woman's Naval Reserve and Marine Corps Women's Reserve were also created during this conflict. In July 1943 a bill was signed removing "auxiliary" from the Women's Army Auxiliary Corps, making it an official part of the regular army. In 1944 the Women's Army Corps, WAC, arrived in the Pacific and landed in Normandy on D-day. During the war, 67 Army nurses and 16 Navy nurses were captured and spent 3 years as Japanese prisoners of war. There were more than 350,000 American women who served during World War II and 16 were killed in action; in total, they gained over 1,500 medals, citations, and commendations.

Women are now playing an increasingly important role in America's military forces; more

than 185,000 women have been deployed in support of Operation Enduring Freedom, Operation Iraqi Freedom, and other missions since 2001.

Today, women can serve on American combat ships, including in command roles. Female enlisted members and officers can hold staff positions in every branch of the Army except infantry and armor, although they can in fact serve on the staffs of infantry and armor units at division level and above, and be members of Special Operations Forces. Women can fly military aircraft and make up 2 percent of all pilots in the U.S. military.

However, women are still limited solely due to gender. Women are not permitted to serve on submarines or to participate in Special Forces programs such as Navy SEALs. Women enlisted soldiers are barred from serving in Infantry, Special Forces, Artillery, Armor, and Air Defense Artillery. So far the positions closest to combat open to women in the U.S. Army are in the Military Police, where women operate machine-guns on armored Humvees, guarding truck convoys. Although Army regulations bar women from infantry assignments, some female MPs are detailed to accompany male infantry units to handle search and interrogation of Iraqi suspects.

I urge my colleagues and all Americans to honor and recognize the service and achievements of current and former female members of the Armed Forces. Over 350 servicewomen have given their lives for the Nation in combat zones since World War I, and more than 85 have been held as prisoners of war; 34,000 women served in World War I, 350,000 served in World War II, 120,000 served in the Korean war, over 7,000 served in the Vietnam war, and more than 41,000 served in the first gulf war.

Madam Speaker, the women of America's military, past and present, have served their Nation in times of peace and war, at great personal sacrifice for both themselves and their families. I hope that this Congress will recognize the service and achievements of women in the military.

Mrs. DAVIS of California. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Mrs. DAVIS) that the House suspend the rules and agree to the resolution, H. Res. 868.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mrs. DAVIS of California. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

CONGRATULATING FIRST UNITED STATES AIR FORCE ACADEMY GRADUATION CLASS ON ITS 50TH ANNIVERSARY

Mrs. DAVIS of California. Madam Speaker, I move to suspend the rules and agree to the concurrent resolution

(H. Con. Res. 139) congratulating the first graduating class of the United States Air Force Academy on their 50th graduation anniversary and recognizing their contributions to the Nation, as amended.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 139

Whereas, on April 1, 1954, President Dwight D. Eisenhower signed legislation establishing the United States Air Force Academy to prepare young men for careers as Air Force officers;

Whereas, on July 11, 1955, the first class entered the Air Force Academy, attending classes in temporary facilities at Lowry Air Force Base in Denver, Colorado;

Whereas the Air Force Academy moved to its permanent home near Colorado Springs, Colorado, in August 1958;

Whereas the first class of 207 cadets graduated June 3, 1959, at the Air Force Academy in Colorado Springs, Colorado;

Whereas in 1964, President Lyndon B. Johnson signed legislation authorizing each of the Service Academies to expand enrollment from 2,529 to 4,417 students, and today, over 4,000 cadets attend the Air Force Academy;

Whereas 50 classes and more than 41,000 cadets have graduated from the Air Force Academy in its 54-year history;

Whereas the mission of the Air Force Academy is to educate, train, and inspire outstanding young men and women to become Air Force officers of character and to prepare and motivate them to lead the Air Force in its service to the Nation;

Whereas the Air Force Academy is recognized worldwide as the premier developer of air, space, and cyberspace officers and leaders with impeccable character and knowledge; and

Whereas, June 3, 2009, marks the 50th anniversary of the first graduating class of the Air Force Academy: Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring), That Congress—*

(1) congratulates the 207 graduates (157 surviving as of April 2009) of the first United States Air Force Academy class on the 50th anniversary of their graduation;

(2) acknowledges the continued excellence of the United States Air Force Academy and its critical role in the defense of the United States; and

(3) recognizes the outstanding service to the Nation that graduates from the United States Air Force Academy have provided.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Mrs. DAVIS) and the gentleman from Colorado (Mr. LAMBORN) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Mrs. DAVIS of California. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on the concurrent resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Mrs. DAVIS of California. I yield myself such time as I may consume.

Madam Speaker, I rise in support of House Concurrent Resolution 139, con-

gratulating the first graduating class of the United States Air Force Academy on their 50th graduation anniversary and recognizing their many contributions to our Nation.

I thank my colleague, Mr. LAMBORN of Colorado, for introducing this measure.

According to Forbes Magazine, the United States Air Force Academy is among the most selective public colleges in the United States. It is among only five colleges with a special mission of educating, training and inspiring young men and women in the military to serve as officers of character and preparing and motivating them to lead in its service to our great Nation. As such, the Air Force Academy has developed a strong reputation that distinguishes itself for consistently producing America's future leaders both in military service and in our society.

The youngest of the five United States service academies, the United States Air Force Academy has produced excellent officers. Since opening its doors in 1955, the academy has produced over 41,000 cadets, which includes 495 general officers, 35 Rhodes Scholars, 10 Marshall Scholars, 13 Harry S. Truman Scholars, 116 Kennedy School of Government Scholars, 92 Guggenheim Fellows, and 32 Gearhart scholarships to study in France.

Additionally, academy graduates have served in every major military conflict since the Vietnam War with the highest level of integrity and honor and, at times, paying the ultimate price in service to America, as 172 graduates have been killed in combat and another 36 were repatriated prisoners of war. Two graduates are combat aces, and one is a Medal of Honor recipient.

Their contributions to every industry and component of American life has been significant: 34 astronauts, the second highest number of astronauts of any higher learning institution, are Air Force Academy graduates. There are Olympic gold medal winners, NFL Super Bowl championship winners, and CEOs and presidents of Fortune 500 corporations. Truly, the United States Air Force Academy produces professional officers who have the knowledge, the character and the motivation which make them leaders in our military and in other aspects of society.

House Concurrent Resolution 139 is our way, as the United States Congress, of recognizing the exemplary service and contributions made by the United States Air Force Academy to the Air Force and to our Nation. This resolution also commends the first graduating class of the United States Air Force on their 50th anniversary and on their significant contributions to shaping the Air Force Academy and the Air Force to the excellence it is known for today.

I urge my colleagues to join me in honoring the United States Air Force Academy.

I reserve the balance of my time.

Mr. LAMBORN. I yield myself such time as I may consume.

I rise in support of House Concurrent Resolution 139, and I thank the gentlewoman from California for her kind and supportive remarks. Like me, she is a member of the Armed Services Committee, and I enjoy serving with her on that committee.

Madam Speaker, I introduced this resolution on June 3 of this year. That date was significant because the resolution celebrates the 50th anniversary of the first graduating class of the United States Air Force Academy.

Of the 306 men who entered the newly created Air Force Academy on July 11, 1955, 207 completed the grueling coursework and the transition to military life; 205 graduates were commissioned as second lieutenants in the Air Force; one was commissioned as a second lieutenant in the U.S. Marine Corps; and one graduate was medically disqualified.

The class included one football Academic All-American, Brock Strom. The academy's top graduate, Lieutenant General (now retired) Bradley C. Hosmer, went on to study at Oxford University as a Rhodes Scholar—the first of 35 Rhodes Scholars who graduated from the academy.

The class of '59 spent its first 3 years in refurbished World War II barracks at Lowry Air Force Base in Denver. The upperclassmen were stand-ins—active duty Air Force officers, some who had graduated from other military academies. The cadet uniforms and the campus in Colorado Springs were still works in progress. By graduation day, June 3 of 1959, the academy had earned full academic accreditation.

Ninety percent of the graduates entered pilot training and were already certified pilots in fighter and bomber aircraft during the 1962 Cuban Missile Crisis. The remainder became navigators or pursued other Air Force specialties. During the Cold War, they saw action in the Southeast Asia theater and in the Vietnam war, and they served in major commands of the day, including strategic air command, tactical air command and military airlift command.

Since that historic day in 1959, members of the class went on to serve with distinction, as has been noted already, as astronaut, general, Thunderbird pilot, CEO, doctor, farmer, entrepreneur, commander of major commands, and vice chief of staff of the Air Force.

Sixty-five percent of that graduating class served until retirement. Many of them went on to second careers in fields including defense, finance, management, education, and religion. Fifteen graduates' impressive careers culminated in being selected as general officers with three members achieving the rank of four-star general. When Secretary of the Air Force James Douglas, Jr., awarded the diplomas in 1959, he applauded the advances in science and technology that the new graduates would embrace and explore.

The Colorado Springs campus was chosen as the ideal site of the Air



Force Academy because of its unlimited training opportunities and majestic beauty.

□ 1600

The famous aviator Charles Lindbergh, a member of the site selection committee, even rented a small plane and confirmed the area was fit for flight training.

Additionally, business leaders of Colorado Springs met with local ranchers who owned the land along the Rampart Range north of town. Most agreed to sell if the site were chosen. In tribute to Colorado's strong military commitment, State leaders offered \$1 million to be put towards the purchase of the present day 18,500-acre campus, an investment that continues to yield immeasurable returns to our Nation.

The Class of '59 created traditions and set high standards for the 41,000 cadets to date who have followed. I am honored to represent the United States Air Force Academy in my district, and I personally congratulate all the living members of the Class of '59 for their 50 years of service to our great Nation, both in their military and civilian successes.

I urge my colleagues to join me in support of House Concurrent Resolution 139.

Madam Speaker, I reserve the balance of my time.

Mrs. DAVIS of California. Madam Speaker, I yield 3 minutes to my friend and colleague, the gentleman from Colorado (Mr. SALAZAR).

Mr. SALAZAR. I want to thank the gentlewoman for recognizing me.

Madam Speaker, I rise today in support of H. Con. Res. 139, a bill congratulating the first graduating class of the United States Air Force Academy on their 50th graduation anniversary. I want to commend my colleague the gentleman from Colorado (Mr. LAMBORN) for introducing this resolution.

The Air Force Academy is located just a few miles from my district, the Third Congressional District, in my home State of Colorado. Since its creation after being signed into law on April 1, 1954, by President Dwight D. Eisenhower, the Air Force Academy has not only stood as an integral training ground for our Nation's officer corps, but is recognized nationally as a pillar of education.

Since the swearing in of the 306 young men who made up the first class, many of our Nation's best and brightest have started their careers in the Air Force Academy. Each year around this time I receive applications from students across my district looking for recommendations to attend the Academy. I am proud to lend my support to hard-working students from the Third Congressional District of Colorado who are looking to advance their education while also serving their Nation. Today's cadets enthusiastically hope to follow in the steps of their predecessors who we are honoring today.

Madam Speaker, I encourage Members on both sides of the aisle to support this measure, and congratulate those who took the first step as part of the initial graduating class 50 years ago.

Once again, I commend the gentleman from Colorado (Mr. LAMBORN).

Mr. LAMBORN. Madam Speaker, I want to thank my colleague and friend from Colorado for his kind and supportive remarks.

At this time, I would like to yield such time as he may consume to my friend, the gentleman from Tennessee (Mr. WAMP).

Mr. WAMP. Madam Speaker, I thank all of the authors and supporters of this resolution, but I come as any Member of the House of Representatives could come, because we all have the distinct privilege of nominating and then appointing great Americans to all of our service academies. So, literally, today all 435 of us could come and tell stories of great young people who commit to serve their country in a very meaningful way that we have had the privilege of nominating and appointing to the United States Air Force Academy or the other service academies.

But I come today in support of this resolution honoring the United States Air Force Academy because a year-and-a-half ago, in February of 2008, I had the distinct privilege and one of my highest privileges in my 15 years of service of being the keynote speaker at National Character Day at the United States Air Force Academy.

When you fly in to Colorado Springs and you are able to go and be greeted there in the way that you are and have dinner with them, and then go into Arnold Auditorium and you are able to present to 2,800 cadets in their dress blues at the United States Air Force Academy, it will raise the hair on the back of your neck because it is such an exhilarating and inspirational experience.

But something happened during the hour that I spent with them that I want to share with the House today. It was supernatural, in a way, but it speaks to the culture, the commitment of those cadets at the United States Air Force Academy, and in doing so honors this 50th anniversary of the first graduating class at the United States Air Force Academy.

They did not know that I committed John Stuart Mill's quote to memory, nor did I know that they all have to commit John Stuart Mill's quote to memory. So in the course of my address, I began to say, War is an ugly thing, but not the ugliest of things. The decayed and degraded state of moral and patriotic feeling which thinks that nothing is worth war is much worse. A person who has nothing for which they are willing to fight, nothing they care more about than their personal safety, is a miserable creature who has no chance of ever being free unless those very freedoms

are made and kept by better persons than themselves.

I was saying that so that they would understand that the people, the better persons than themselves that John Stuart Mill was talking about, is those 2,800 cadets and all those that came before them. What I didn't know is they all have to memorize it. So I was no more than about six words into it and it became a chorus of 2,801 persons together quoting John Stuart Mill's eternal quote about the value of our men and women in uniform who will stand between the threat and our civilian population and preserve our way of life, and we must remember that our very freedoms are kept by those better persons.

So, today we honor, rightly, this particular institution which has made extraordinary contributions to our way of life, our freedom, everything that we hold dear, all of our constitutional liberties. These men and women dedicate themselves to excellence and to service above and beyond all measure, and we honor every single one of them today and all of our service academies.

I commend so much this resolution to the House, and I know that we will all stand together to honor the United States Air Force Academy.

Mr. COFFMAN of Colorado. Madam Speaker, I want to take a moment to comment on H. Con. Res. 139, congratulating the first graduating class of the United States Air Force Academy on their 50th graduation anniversary and recognizing their contributions to the Nation.

I should start by complimenting my friend and colleague, Representative DOUG LAMBORN, for his effort to pass this resolution.

It is Colorado's honor to host the Air Force Academy. The fact that we are the home of one of our nation's premier training grounds for the best and brightest of our nation's youth is an immense point of pride to every citizen of our state. Driving down 1-25 into Colorado Springs and seeing the Academy and its famous chapel nestled in the foothills of the Rockies is always gratifying.

The 157 surviving members of the first United States Air Force Academy class, recognized today on the 50th anniversary of their graduation, were leaders not only in their own years of service to our country, but also in that they were a vanguard establishing the Air Force Academy, the city of Colorado Springs, and the State of Colorado as important and productive centers of military excellence. I am pleased we passed this resolution.

Mr. LAMBORN. Madam Speaker, I yield back the balance of my time.

Mrs. DAVIS of California. Madam Speaker, I have no further requests at this time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Mrs. DAVIS) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 139, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mrs. DAVIS of California. Mr. Speaker, on that I demand the yeas and nays. The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

# RECOGNIZING THE EFFORTS OF CAREER AND TECHNICAL COL- LEGES

Mr. BISHOP of New York. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 880) recognizing the efforts of career and technical colleges to educate and train workers for positions in high demand industries, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

## H. RES. 880

Whereas the Bureau of Labor Statistics estimated that 15,600,000 new jobs will be added to the labor force between 2006 and 2016, with population shifts and new technologies fueling job growth;

Whereas more than 80 percent of respondents in the 2005 National Association of Manufacturers Skills Gap report indicated that they are experiencing a shortage of qualified workers;

Whereas postsecondary institutions offering career and technical education provide the real-world situations necessary to engage students and prepare them for the workforce;

Whereas postsecondary institutions offering career and technical education provide an environment where students can apply fundamental academic skills and employability skills to complex job-related problems;

Whereas postsecondary institutions offering career and technical education connections with local business leaders allow the use of workforce readiness credentials to spread from the ground up in a way that is mutually beneficial to students and employers;

Whereas 14 percent of all employers reported being a member of a career and technical education advisory committee in a Census Bureau Survey; and

Whereas employers assist postsecondary institutions offering career and technical education in developing programs that reflect the needs of industry: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) recognizes the efforts of postsecondary institutions offering career and technical education to educate and train workers for positions in high-demand industries; and

(2) supports the connection postsecondary institutions offering career and technical education provide between employers and students.

The SPEAKER pro tempore (Ms. JACKSON-LEE of Texas). Pursuant to the rule, the gentleman from New York (Mr. BISHOP) and the gentleman from Louisiana (Mr. CASSIDY) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

## GENERAL LEAVE

Mr. BISHOP of New York. Madam Speaker, I request 5 legislative days

during which Members may revise and extend and insert extraneous material on H. Res. 880 into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BISHOP of New York. I rise today in support of H. Res. 880, which recognizes the efforts of career and technical education colleges that educate and train workers for positions in high-demand industries. This resolution supports partnerships between career and technical colleges, employers, and students so that students can be prepared to enter high demand technical fields.

Career and technical education colleges help students apply practical information learned in the classroom to employment. CTE schools serve a diverse set of students. They serve secondary students who need job skills to transition into the workplace and employees who need to upgrade their skills for new technologies. Employers work with CTE programs to hire fully competent, well-trained workers for professional technical positions.

As America has evolved from an industrial economy to a knowledge economy, the globalization of business and industry requires workers to acquire core knowledge and skills that can be applied in a wide and rapidly changing variety of work settings.

With the changing business industry, employers want more competent, skilled workers, but they are having a difficult time finding these workers. More than 80 percent of respondents in the 2005 National Association of Manufacturers Skills Gap Report indicate that employers are experiencing a shortage of qualified workers. CTEs are situated to respond rapidly to changing job market demand to prepare potential employees.

Along with CTEs, community colleges help spur the economy and provide a skilled workforce that contributes more than \$31 billion to the Nation's economy. This year, community colleges in this country will award more than 500,000 associate degrees and 270,000 associate certificates.

In September of this year, the House of Representatives passed the Student Aid and Fiscal Responsibility Act. This bill includes an unprecedented investment of \$10 billion into community colleges by encouraging partnerships between community colleges, States, businesses, job training, and adult education programs, and by creating a new competitive grant program for community colleges to improve instruction, bolster student services and implement other innovative reforms. Community colleges play an important role in career and technical education, and in many communities are leading the way in providing workforce development programs that meet the needs of local businesses.

Madam Speaker, I again wish to express my support for H. Res. 880, and I

thank Congressman CASSIDY for bringing this bill forward. I urge my colleagues to support this resolution.

I reserve the balance of my time.

Mr. CASSIDY. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise today in support of House Resolution 880, recognizing the efforts of post-secondary institutions offering career and technical education to educate and train workers for positions in high-demand industries.

Post-secondary institutions that offer career and technical education are an incredibly valuable resource to our communities. These institutions enable adults in the community to improve their lives by furthering their education in order to improve their employability and working life. Career and technical education enables students to learn specific skills or earn a certificate or a degree that employers require or prefer.

Many institutions that offer career and technical education also have valuable connections with employers in the community. These connections allow these institutions to better serve their students. Employers in high-demand industries are able to communicate with post-secondary institutions what skills, certificates and degrees they expect potential employees to exhibit. The close relationship between post-secondary institutions that offer career and technical education and employers provide students, and potential employees, with a valuable advantage.

The Bureau of Labor Statistics estimated that 15.6 million new jobs will be added to the labor force between 2006 and 2016. These industries and employers also benefit from the unique relationship between post-secondary institutions that offer career and technical education and local business leaders. The relationship enables industries and businesses to communicate where there are experience and employment gaps and what skills they require for such positions.

Post-secondary institutions that offer career and technical education provide students and the business community with an invaluable connection.

I am honored to support this resolution, and I ask my colleagues to join me.

Madam Speaker, I yield back the balance of my time.

Mr. BISHOP of New York. Madam Speaker, we have no further speakers on our side, so with my gratitude to Mr. CASSIDY, I urge my colleagues to approve this resolution, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. BISHOP) that the House suspend the rules and agree to the resolution, H. Res. 880, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. BISHOP of New York. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

□ 1615

# RECOGNIZING THE TRAGIC LOSS OF LIFE THAT OCCURRED AT THE CHERRY MINE IN CHERRY, ILLINOIS

Mr. BISHOP of New York. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 752) recognizing the tragic loss of life that occurred at the Cherry Mine in Cherry, Illinois, on its 100th anniversary and the contributions to worker and mine safety that resulted from this and other disasters, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

## H. RES. 752

Whereas the St. Paul Mine Company Mine in Cherry, a town in Bureau County, Illinois, began operation in 1905;

Whereas the mine supplied the Chicago, Milwaukee, and St. Paul Railroad with 300,000 tons of coal annually for its locomotives;

Whereas coal remains an abundant source of energy in Illinois and across the country;

Whereas the majority of Cherry miners were immigrants working to achieve the American dream;

Whereas 490 men and boys were working in the mine on Saturday, November 13, 1909;

Whereas 10 of the Cherry miners were boys under the age of 16, including one who was 10 years old, were hired illegally;

Whereas United Mine Workers represented miners at the Cherry Mine in 1909 and continue to represent workers throughout the United States and Canada;

Whereas according to the Mine Safety and Health Administration, there were 2,642 coal mining fatalities in the United States in 1909;

Whereas the main and secondary shafts of the Cherry Mine contained wooden stairs and ladders;

Whereas an electrical outage at the Cherry Mine caused the workers to light kerosene lanterns and torches;

Whereas a torch caught fire 500 feet below the surface in the Cherry Mine;

Whereas the efforts to redirect the fire caused flammable material such as wood to ignite and rapidly spread the fire;

Whereas two shafts were closed to smother the fire;

Whereas the shaft closings cut off oxygen to the workers, and allowed "black damp", a mixture of deadly carbon dioxide and nitrogen to spread through the mine;

Whereas over 200 miners managed to make their way to the surface to escape the fire;

Whereas a group of miners, lead by John Bundy, showed incredible courage by journeying down the mine shaft 6 times to rescue their fellow miners;

Whereas on the seventh attempt the miners caught fire and burned to death;

Whereas a group of 21 miners, who later became known as the "eight-day men", sealed themselves from the fire;

Whereas the "eight-day men" exhibited behavior that can only be described as selfless when helping each other survive;

Whereas a team rescued these men after 8 grueling days underground in torturous conditions;

Whereas 259 miners, including 4 children, perished in what became known as the Great Cherry Mine Disaster;

Whereas the United Mine Workers pressed successfully for mine safety reforms following this and other disasters like it;

Whereas the United States Bureau of Mines was created in 1910 as a result of disasters like the Great Cherry Mine Disaster;

Whereas the State of Illinois reacted by passing stronger mine safety regulations;

Whereas those mine regulations included requiring mine owners to maintain firefighting equipment and require certain workers to pass safety tests;

Whereas the Illinois' Worker's Compensation Act of 1911 recognized the dangers that mine workers faced and continue to face today; and

Whereas November 13, 2009, marks the 100th anniversary of the Great Cherry Mine Disaster: Now, therefore, be it

Resolved, That the House of Representatives—

(1) honors the 259 miners lost in the tragedy known as the Great Cherry Mine Disaster on its 100th anniversary; and

(2) supports the important safety measures that were enacted as a result of this terrible incident and others around the country like it.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. BISHOP) and the gentleman from Louisiana (Mr. CASSIDY) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

## GENERAL LEAVE

Mr. BISHOP of New York. Madam Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on H. Res. 752 into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BISHOP of New York. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise today in support of House Resolution 752, memorializing the 100th anniversary of the Cherry Mine disaster of November 13, 1909, in Cherry, Illinois.

This landmark mine disaster, which took the lives of 259 men and children and left 600 grieving widows and orphans, should not be forgotten. I commend Representative HALVORSON for bringing this important chapter in labor history to the Nation's attention.

The fire began in the Cherry Mine after an electricity outage, when burning fuel from a makeshift torch dripped on an underground hay bale. With no firefighting equipment in the mine, workers tried to douse the flames with water from an underground mule stable. The flames grew and the timber structures lining the mine quickly ignited. Some diggers in the lower level

noticed the smoke and suggested to their supervisors that they get out. They were told to continue working. Other workers were reluctant to leave for fear of losing income as they were paid on a piecework basis. Company supervisors waited about an hour before making a systematic attempt to alert workers about the fire. Some of the immigrant workers spoke little English and could not understand the orders to evacuate. No fire drill had ever been practiced. At some point, the mine fan reversed, sucking flames further up the shaft. The ventilation system broke and the escape stairway was consumed in flames.

The 259 deaths from this 1909 mine disaster, coupled with 362 killed from the Monongah disaster in West Virginia in 1907, spurred Congress to create the Bureau of Mines in 1910 as a research agency. However, without enforcement powers, the bureau failed to produce significant changes.

In 1947, amidst fierce industry opposition, the bureau was finally given the power to inspect mines. A mine explosion in West Frankfort, Illinois, which took 119 lives, spurred Congress to give the Bureau of Mines the power to close mines for safety violations in 1951. Many more accidents followed until Congress created the Federal Coal Mine Safety and Health Act of 1969. That law requires quarterly mine inspections and authorized fines for violations.

In 2006, miner deaths soared to a 10-year high with disasters at Sago and Aracoma Mines in West Virginia and the Darby Mine in Kentucky. Congress responded by passing the Mine Improvement and New Emergency Response Act, the MINER Act, which requires mine operators to provide caches of air, have rescue teams organized, develop wireless communications, and install tracking systems to locate miners who are trapped underground.

This resolution also recognizes the pioneering work of the United Mine Workers in pressing successfully for mine safety reforms in the wake of the Cherry Mine disaster and other disasters like it.

It is often said that our mine safety laws had been written with the blood of miners. That is, it is only after horrific disasters like the Cherry Mine or Sago that progress is made because of the ensuing public outcry.

While improvements have been made in recent years, more work needs to be done to make sure miners return home safely to their families at the end of each shift. Preventable disasters still occur, like the tragic loss of life we saw at Crandall Canyon Mine in Utah in 2007. Although there have been nearly 100 years of effort in Congress since the Cherry Mine disaster to protect underground miners, this resolution reminds us that our work is far from over.

Madam Speaker, once again I express my support for H. Res. 752. I thank Representative HALVORSON for bringing

this forward. I urge my colleagues to support this measure.

Madam Speaker, I reserve the balance of my time.

Mr. CASSIDY. Madam Speaker, I yield myself such time as I may consume.

I rise today in support of House Resolution 752, recognizing the tragic loss of life that occurred at the Cherry Mine in Cherry, Illinois, on its 100th anniversary and the contributions to worker and mine safety that resulted from this and other disasters.

On November 13, 1909, 400 miners went to work at the Cherry Mine in Cherry, Illinois. This mine was one of the first to have electric lighting, but on the day of the disaster, the system was not working. Instead, miners were using torches to light their way. Mules were being used to bring coal to the mine elevator, and the hay to feed those mules provided the fuel that started the fire that ultimately killed 263 miners. Miraculously, 200 miners working that day escaped. Even more amazing, though, 21 miners survived for 8 days underground with no food and little water.

In order to suppress the fire, those above ground sealed the mine. Conditions below ground deteriorated rapidly. Led by mine manager George Eddy, the 21 miners who survived went into the recesses of the mine to escape the fire and seek good air. Ultimately, the miners barricaded themselves deep in the mine, attempting to block out the bad air. They were able to pool water from seepage in their shelter.

The tragedy of the Cherry Mine has sadly been repeated in one form or another throughout the history of mining. With this resolution, we honor those lost in the mine. We also honor those who demonstrated their courage and resolve in the face of the tragedy. Just as we see in today's miners, those trapped in the mine fought hard to stay alive. The men above ground did everything they could to put out the fire with the hope of saving their fellow workers.

I rise today to recognize the loss at the Cherry Mine and to honor those who work in our mines today. I ask my colleagues to support this resolution.

Madam Speaker, I reserve the balance of my time.

Mr. BISHOP of New York. Madam Speaker, I am pleased to yield 5 minutes to the gentlewoman from Illinois (Mrs. HALVORSON), the sponsor of this legislation.

Mrs. HALVORSON. I thank the gentleman for yielding.

Madam Speaker, I rise today in support of House Resolution 752, a resolution I introduced to commemorate the 100th anniversary of the Great Cherry Mine Disaster.

The Great Cherry Mine Disaster was a tragic coal mining accident that took place in Cherry, Illinois, which is a small town in Bureau County in my district. House Resolution 752 recognizes the historical significance of this

mining accident, which led to the passage of landmark mine safety and worker safety legislation both in Illinois and at the Federal level.

I want to thank Chairman GEORGE MILLER and Ranking Member JOHN KLINE for bringing my resolution to the floor. And I also want to thank Calla Brown, Jody Calemine, and Richard Miller from the majority staff on Education and Labor for working with my staff on this resolution.

Madam Speaker, on Saturday, November 13, 1909, 419 employees of the St. Paul Mine Company showed up to work at the company's coal mine in Cherry. The majority of them were immigrants working to achieve the American Dream. Most were Italian or Slovenian, but others were German, Greek, French, Irish, and British. These workers were represented by the United Mine Workers of America.

In 1909, coal mining was an extremely dangerous line of work. In that year alone, there were 2,642 recorded coal mining fatalities in the United States. Two years earlier, coal mining disasters in West Virginia and Pennsylvania resulted in over 200 deaths. These deaths and disasters were often the result of inadequate workplace safety regulation, which was the case in Cherry.

On November 13, 1909, the workers at Cherry were using kerosene lanterns and torches because of an electric outage in the mine. About 500 feet below the surface, one of the torches ignited some flammable material and the fire spread rapidly. Two shafts were closed in an attempt to smother the fire, which cut off oxygen to many of the workers. The lack of oxygen created a mixture of carbon dioxide and nitrogen known as black damp, which made its way throughout the mine, suffocating many of the workers.

Two hundred of the miners quickly made their way to the surface, but the rest were trapped in the mine. One of the mine managers, a man named John Bundy, led a courageous group of miners back into the mine to rescue their fellow workers. On the seventh trip, Bundy and his rescue group caught fire and burned to death. Another group of 21 miners, who became known as the "eight-day men," managed to survive in the mine for 8 days before they were rescued. When the disaster was over, 259 miners had died, including four children.

The Great Cherry Mine Disaster was the third deadliest mine disaster in American history. The Great Cherry Mine Disaster and other similar mine disasters moved lawmakers to enact landmark mine safety and worker safety reforms. In 1910, the Illinois General Assembly passed legislation requiring mine operators to maintain fire-fighting equipment and certain mine workers to pass safety tests. Also that year, Congress passed legislation creating the U.S. Bureau of Mines. In 1911, Illinois enacted its first worker compensation law.

The United Mine Workers and organized labor played a very important role in pushing for these reforms. Over the last century, we have made great progress on mine safety, but we still have more work to do. We learned this the hard way with the tragic Sago Mine disaster in West Virginia in 2006, which killed 13 coal miners.

As we move forward, we need to continue to update and improve our Nation's mine safety laws. House Resolution 752 honors the memory of those who lost their lives in the Great Cherry Mine Disaster and recognizes the important mine safety reforms enacted as a result of this and similar disasters. As we look into the future, it's important that we always remember the important lessons of the past.

Madam Speaker, I ask my colleagues to join me in supporting House Resolution 752.

Mr. CASSIDY. Madam Speaker, I yield back the balance of my time.

Mr. BISHOP of New York. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. BISHOP) that the House suspend the rules and agree to the resolution, H. Res. 752, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

#### NATIONAL FAMILY LITERACY DAY

Mr. BISHOP of New York. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 878) expressing support for the goals and ideals of National Family Literacy Day.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

#### H. RES. 878

Whereas National Family Literacy Day is held on November 1;

Whereas children spend 5 times as much time outside the classroom as they do in school, and a parent's education and income are 2 of the biggest factors in determining a child's success in school;

Whereas children who participate in family literacy programs demonstrate significant gains in oral language skills and score higher on standardized tests;

Whereas National Family Literacy Day encourages parents to become involved in their children's education and schoolwork;

Whereas approximately 8,000 literacy programs and schools will hold readings, workshops, book drives, and family activities at libraries and community centers across the country in honor of National Family Literacy Day; and

Whereas National Family Literacy Day highlights multigenerational learning, the importance of literacy for children and adults, and parental involvement in the education of their children: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) supports the goals and ideals of National Family Literacy Day; and

(2) recognizes the benefits of parental involvement in a child's education.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. BISHOP) and the gentleman from Louisiana (Mr. CASSIDY) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

#### GENERAL LEAVE

Mr. BISHOP of New York. Madam Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous materials on H. Res. 878 into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BISHOP of New York. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise today in support of H. Res. 878, which recognizes November 1, 2009, as National Family Literacy Day and acknowledges the benefits of parent involvement in their child's education.

Family literacy programs address the literacy needs and challenges children and families in our country deal with every day. These programs provide parents with knowledge and skills that allow them to be their child's first and most important teacher. Family literacy programs also help parents to be active participants in their child's education. For children, family literacy programs help increase children's literacy and oral skills. In addition, research has shown these programs can help improve children's scores on standardized tests.

National Family Literacy Day promotes the importance of literacy for both children and adults. According to the National Center for Family Literacy, parent-child literacy activities, such as parents reading to their children, improve children's language skills and increase their interest in books.

Parent-child literacy activities also benefit low-literacy adults. It helps adults build confidence and develop their literacy skills and contributes to self-sufficiency for adults and families across the Nation, leading to better jobs, workforce readiness, and higher education degrees.

In honor of National Family Literacy Day, approximately 8,000 literacy programs and schools will hold workshops, book drives, and family reading activities in libraries and community centers across the Nation.

Madam Speaker, once again I express my support for National Family Literacy Day. I thank Representative PLATTS for bringing this resolution forward, and I urge my colleagues to support this resolution.

Madam Speaker, I reserve the balance of my time.

□ 1630

Mr. CASSIDY. Madam Speaker, I yield myself such time as I may consume.

I rise today in support of House Resolution 878, expressing support for the goals and ideals of National Family Literacy Day. Literacy is an issue that is important to people of all ages, from kindergarteners just learning to read to adults whose everyday lives require reading skills. Problems with literacy also affect people of all ages. Children with literacy problems are far more likely to drop out of school before they graduate than those without literacy problems. In addition, approximately 85 percent of all juvenile offenders have problems reading.

Approximately one in seven American adults have difficulty reading, according to the most recent literacy report. Difficulty reading spans generations and affects people of all ages. Family literacy encourages parents and children to learn together and encourages parents to become involved in their children's education. Multigenerational learning enables every willing family member to engage in learning and improve their ability to read.

Children specifically can benefit from family literacy in a number of ways. Children spend a large majority of their time outside of school. Engaging children in reading in their family environment allows children to extend their learning time beyond the time they spend in school. Additionally, research has shown that children whose parents are involved in their education perform better in school. Family literacy encourages families to learn together and support each other in improving their literacy skills.

National Family Literacy Day took place November 1 this year. On this day, schools, libraries and community centers were encouraged to hold book drives, family reading events, workshops and other events that encourage families to read together. Approximately 8,000 literacy programs and schools held events to honor National Family Literacy Day this year. By recognizing National Family Literacy Day, we honor the importance of families learning and reading together.

I am honored to support this resolution, and I ask my colleagues to join me.

Mr. PLATTS. Madam Speaker, I rise today in support of House Resolution 878. I am proud to have introduced this resolution that recognizes the benefits of parental involvement in a child's education, and supports the goals and ideals of National Family Literacy Day.

As we all know, the role of a parent or guardian in a child's life is one that is irreplaceable and lasts far beyond the adolescent years. Today, I stand in recognition of the importance of family literacy in the education of children. While a child's education at school is irrevocably important, we must fully recognize that education begins at home.

National Family Literacy Day occurred on November 1st of this year reminding us of the

integral role parents play in their child's pathway to learning. Approximately 8,000 literacy programs and schools held readings, workshops, book drives, and family activities at libraries and community centers across the country in honor of this important day.

Research has shown that a parent's education and income are the two largest indicators of a child's success in school. Given that children spend five times as much time outside of the classroom as in school, we must continue to focus on the importance of family literacy programs. Children who participate in family literacy programs demonstrate significant gains in oral language skills and score higher on standardized tests. The future and prosperity of our great Nation is dependent on the quality of education that our children receive today.

That is why I stand in support of this resolution, recognizing the goals and ideals of Family Literacy Day. I ask for my colleagues' support of House Resolution 878.

Ms. JACKSON-LEE of Texas. Madam Speaker, I rise today in support of H. Res. 878, which "expresses support for the goals and ideals of National Family Literacy Day." A great American, Frederick Douglass, once said "Once you learn to read, you will be forever free." For America, literacy is the key that unlocks the door to our success, to our defense, and to our freedom.

Illiteracy should be considered the root of many problems in our lives today; it leads to alienation of students in school and their community. For example, in my home district, the 18th District of Texas approximately 68 percent of those arrested, 75 percent of welfare dependants, 85 percent of dropouts, and 72 percent of the unemployed are identified as functionally illiterate (Youth Plus). One in three adults in the greater Houston metropolitan area functions at the lowest level of literacy, they are unable to read and comprehend a menu or a street map, fill out a job application, or read the directions on a medicine bottle (Literacy Advance of Houston). And in Texas, 85 percent of teenagers appearing in juvenile court are functionally illiterate (Youth Plus).

No skill can be rendered more crucial to our future, nor to a democratic and prosperous society, than literacy. Literacy and knowledge is the premise of reaching one's full potential as an upstanding citizen. President Lyndon B. Johnson once said, "A book is the most effective weapon against intolerance and ignorance," in order for us to utilize this priceless weapon, we must educate one another.

Our children are made readers on the laps of their parents. Therefore the literacy of parents has a direct impact on the educational success of their children. Parental involvement is an intricate part of a child's success and as the level of parental involvement increases the education level of the child increases. Unfortunately, according to the National Adult Literacy Survey, 42 million adult Americans can't read. Another 50 million can recognize so few printed words they are limited to a 4th or 5th grade reading level; one out of every four teenagers drops out of high school, and of those who graduate, one out of every four has the equivalent or less of an eighth grade education. Parents in family literacy programs have proven to become more involved in their children's education and gain the tools necessary to obtain a job or find better employment.

A parent's education and income are two of the biggest factors in determining a child's

success in school. Advocating literacy across America will result in children's lives becoming more stable, lead to higher achievement in the classroom and success in all future endeavors becomes inevitable. Studies have shown that two important factors that influence student achievement are the mother's education level and poverty in the home. It is clear that if adults are not part of the learning equation, then there is no long-term solution to our Nation's education challenges. The National Assessment of Adult Literacy reports that 90,000,000 adults lack the literacy, numeracy, or English language skills to succeed at home, in the workplace, and in society. National Family Literacy Day would highlight the need for our government to support efforts to ensure each and every citizen has the necessary literacy skills to succeed at home, at work, and in society. I support the designation of National Family Literacy Day on November 1, which encourages parents to become involved in their children's education and schoolwork, as well as people across the United States to support programs to assist those in need of adult education and family literacy programs.

Children who participate in family literacy programs demonstrate significant gains in oral language skills and score higher on standardized tests. I call upon the Federal Government, States, localities, schools, libraries, non-profit organizations, community-based organizations, consumer advocates, institutions of higher education, labor unions, and businesses to support increased access to adult education and family literacy programs to ensure a literate society.

Mr. CASSIDY. I yield back the balance of my time.

Mr. BISHOP of New York. I yield back the balance of my time as well, Madam Speaker.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. BISHOP) that the House suspend the rules and agree to the resolution, H. Res. 878.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. BISHOP of New York. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

- H. Res. 863, by the yeas and nays;
- H. Res. 641, by the yeas and nays;
- H. Res. 711, de novo;
- H. Res. 856, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

#### WORLD PNEUMONIA DAY

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 863, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. ENGEL) that the House suspend the rules and agree to the resolution, H. Res. 863, as amended.

The vote was taken by electronic device, and there were—yeas 421, nays 1, not voting 10, as follows:

[Roll No. 852]

YEAS—421

Abercrombie	Carson (IN)	Forbes
Ackerman	Carter	Fortenberry
Aderholt	Cassidy	Foster
Adler (NJ)	Castle	Foxx
Akin	Castor (FL)	Frank (MA)
Alexander	Chaffetz	Franks (AZ)
Altmire	Chandler	Frelinghuysen
Andrews	Childers	Fudge
Arcuri	Chu	Galleghy
Austria	Clarke	Garrett (NJ)
Baca	Clay	Gerlach
Bachmann	Cleaver	Giffords
Bachus	Clyburn	Gingrey (GA)
Baird	Coble	Gohmert
Baldwin	Coffman (CO)	Gonzalez
Barrett (SC)	Cohen	Goodlatte
Barrow	Cole	Gordon (TN)
Bartlett	Conaway	Granger
Barton (TX)	Connolly (VA)	Graves
Bean	Conyers	Grayson
Becerra	Cooper	Green, Al
Berkley	Costa	Green, Gene
Berman	Costello	Griffith
Berry	Courtney	Grijalva
Biggart	Crenshaw	Guthrie
Bilbray	Crowley	Gutierrez
Bilirakis	Cuellar	Hall (NY)
Bishop (GA)	Culberson	Hall (TX)
Bishop (NY)	Cummings	Halvorson
Blackburn	Dahlkemper	Hare
Blumenauer	Davis (AL)	Harman
Blunt	Davis (CA)	Harper
Boccheri	Davis (IL)	Hastings (FL)
Boehner	Davis (KY)	Hastings (WA)
Bonner	Davis (TN)	Heinrich
Bono Mack	DeFazio	Heller
Boozman	DeGette	Hensarling
Boren	Delahunt	Herger
Boswell	DeLauro	Herseth Sandlin
Boucher	Dent	Higgins
Boustany	Diaz-Balart, L.	Hill
Boyd	Diaz-Balart, M.	Himes
Brady (PA)	Dicks	Hinchey
Brady (TX)	Dingell	Hinojosa
Bright	Doggett	Hirono
Broun (GA)	Donnelly (IN)	Hodes
Brown (SC)	Doyle	Hoekstra
Brown, Corrine	Dreier	Holden
Brown-Waite,	Driehaus	Holt
Ginny	Duncan	Honda
Buchanan	Edwards (MD)	Hoyer
Burgess	Edwards (TX)	Hunter
Burton (IN)	Ehlers	Inglis
Butterfield	Ellison	Inslee
Buyer	Ellsworth	Israel
Calvert	Emerson	Issa
Camp	Engel	Jackson (IL)
Campbell	Eshoo	Jackson-Lee
Cantor	Etheridge	(TX)
Cao	Fallin	Jenkins
Capito	Farr	Johnson (GA)
Capps	Fattah	Johnson (IL)
Cardoza	Filner	Johnson, E. B.
Carnahan	Flake	Johnson, Sam
Carney	Fleming	Jones

Kagen	Miller (MI)	Schauer
Kanjorski	Miller (NC)	Schiff
Kaptur	Miller, Gary	Schmidt
Kennedy	Miller, George	Schock
Kildee	Minnick	Schrader
Kilpatrick (MI)	Mitchell	Schwartz
Kilroy	Molohan	Scott (GA)
Kind	Moore (KS)	Scott (VA)
King (IA)	Moore (WI)	Sensenbrenner
King (NY)	Moran (KS)	Serrano
Kingston	Moran (VA)	Sessions
Kirk	Murphy (CT)	Sestak
Kirkpatrick (AZ)	Murphy (NY)	Shadegg
Kissell	Murphy, Tim	Shea-Porter
Klein (FL)	Murtha	Sherman
Kline (MN)	Myrick	Shimkus
Kosmas	Nadler (NY)	Shuler
Kratovil	Napolitano	Simpson
Kucinich	Neal (MA)	Sires
Lamborn	Neugebauer	Skelton
Lance	Nye	Slaughter
Langevin	Oberstar	Smith (NE)
Larsen (WA)	Obey	Smith (NJ)
Larson (CT)	Olson	Smith (TX)
Latham	Olver	Smith (WA)
LaTourette	Ortiz	Snyder
Latta	Pallone	Souder
Lee (CA)	Pascarell	Space
Lee (NY)	Pastor (AZ)	Speier
Levin	Paulsen	Spratt
Lewis (CA)	Payne	Stark
Lewis (GA)	Pence	Stearns
Linder	Perlmutter	Sullivan
Lipinski	Perriello	Sutton
LoBiondo	Peters	Tanner
Loeback	Peterson	Taylor
Lofgren, Zoe	Petri	Teague
Lowe	Pingree (ME)	Terry
Lucas	Pitts	Thompson (CA)
Luetkemeyer	Platts	Thompson (MS)
Lujan	Poe (TX)	Thompson (PA)
Lummis	Polis (CO)	Thornberry
Lungren, Daniel	Pomeroy	Tiahrt
E.	Posey	Tiberi
Lynch	Price (GA)	Tierney
Mack	Price (NC)	Titus
Maffei	Putnam	Tonko
Maloney	Quigley	Towns
Manzullo	Radanovich	Tsongas
Marchant	Rahall	Turner
Markey (CO)	Rangel	Upton
Markey (MA)	Rehberg	Van Hollen
Marshall	Reichert	Velázquez
Massa	Reyes	Visclosky
Matheson	Richardson	Walden
Matsui	Rodriguez	Walz
McCarthy (CA)	Roe (TN)	Wamp
McCarthy (NY)	Rogers (AL)	Wasserman
McCaul	Rogers (KY)	Schultz
McClintock	Rogers (MI)	Waters
McCollum	Rohrabacher	Watson
McCotter	Rooney	Watt
McDermott	Ros-Lehtinen	Waxman
McGovern	Roskam	Weiner
McHenry	Ross	Welch
McIntyre	Rothman (NJ)	Westmoreland
McKeon	Roybal-Allard	Wexler
McMahon	Royce	Whitfield
McMorris	Ruppersberger	Wilson (OH)
Rodgers	Rush	Wilson (SC)
McNerney	Ryan (OH)	Wittman
Meek (FL)	Ryan (WI)	Wolf
Meeks (NY)	Salazar	Woolsey
Melancon	Sanchez, Loretta	Wu
Mica	Sarbanes	Yarmuth
Michaud	Scalise	Young (AK)
Miller (FL)	Schakowsky	Young (FL)

NAYS—1

Paul  
NOT VOTING—10

Bishop (UT)	Jordan (OH)	Sánchez, Linda
Braley (IA)	Murphy, Patrick	T.
Capuano	Nunes	Shuster
Deal (GA)		Stupak

□ 1659

Mr. PAUL changed his vote from "yea" to "nay."

Mr. ROONEY changed his vote from "nay" to "yea."

So (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.



The title of the resolution was amended so as to read: "Recognizing the scourge of pneumonia, urging the United States and the world to mobilize cooperation and focus resources to fight pneumonia and save children's lives, and recognizing November 2 as World Pneumonia Day."

A motion to reconsider was laid on the table.

# RECOGNIZING 60TH ANNIVERSARY OF RADIO FREE EUROPE/RADIO LIBERTY

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 641, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. BERMAN) that the House suspend the rules and agree to the resolution, H. Res. 641, as amended.

The vote was taken by electronic device, and there were—yeas 422, nays 1, not voting 9, as follows:

[Roll No. 853]

YEAS—422

Abercrombie	Buyer	Dingell
Ackerman	Calvert	Doggett
Aderholt	Camp	Donnelly (IN)
Adler (NJ)	Campbell	Doyle
Akin	Cantor	Dreier
Alexander	Cao	Driehaus
Altmire	Capito	Duncan
Andrews	Capps	Edwards (MD)
Arcuri	Capuano	Edwards (TX)
Austria	Cardoza	Ehlers
Baca	Carnahan	Ellison
Bachmann	Carney	Ellsworth
Bachus	Carson (IN)	Emerson
Baird	Carter	Engel
Baldwin	Cassidy	Eshoo
Barrett (SC)	Castle	Etheridge
Barrow	Castor (FL)	Fallin
Bartlett	Chaffetz	Farr
Barton (TX)	Chandler	Fattah
Bean	Childers	Filner
Becerra	Chu	Flake
Berkley	Clarke	Fleming
Berman	Clay	Forbes
Berry	Cleaver	Fortenberry
Biggert	Clyburn	Foster
Bilbray	Coble	Fox
Bilirakis	Coffman (CO)	Frank (MA)
Bishop (GA)	Cohen	Franks (AZ)
Bishop (NY)	Cole	Frelinghuysen
Bishop (UT)	Conaway	Fudge
Blackburn	Connolly (VA)	Gallely
Blumenauer	Conyers	Garrett (NJ)
Blunt	Cooper	Gerlach
Bocchieri	Costa	Giffords
Boehner	Costello	Gingrey (GA)
Bonner	Courtney	Gohmert
Bono Mack	Crenshaw	Gonzalez
Boozman	Crowley	Goodlatte
Boren	Cuellar	Gordon (TN)
Boswell	Culberson	Granger
Boucher	Cummings	Graves
Boustany	Dahlkemper	Grayson
Boyd	Davis (AL)	Green, Al
Brady (PA)	Davis (CA)	Green, Gene
Brady (TX)	Davis (IL)	Griffith
Bright	Davis (KY)	Guthrie
Broun (GA)	Davis (TN)	Gutierrez
Brown (SC)	DeFazio	Hall (NY)
Brown, Corrine	DeGette	Hall (TX)
Brown-Waite,	Delahunt	Halvorson
Ginny	DeLauro	Hare
Buchanan	Dent	Harman
Burgess	Diaz-Balart, L.	Harper
Burton (IN)	Diaz-Balart, M.	Hastings (FL)
Butterfield	Dicks	Hastings (WA)

Heinrich	McCarthy (NY)	Ruppersberger
Heller	McCaul	Rush
Hensarling	McClintock	Ryan (OH)
Herger	McCollum	Ryan (WI)
Herseeth Sandlin	McCotter	Salazar
Higgins	McDermott	Sanchez, Loretta
Hill	McGovern	Sarbanes
Himes	McHenry	Scalise
Hinchee	McIntyre	Schakowsky
Hinojosa	McKeon	Schauer
Hirono	McMahon	Schiff
Hodes	McMorris	Schmidt
Hoekstra	Rodgers	Schock
Holden	McNerney	Schrader
Holt	Meek (FL)	Schwartz
Honda	Meeks (NY)	Scott (GA)
Hoyer	Melancon	Scott (VA)
Hunter	Mica	Sensenbrenner
Inglis	Michaud	Serrano
Inslee	Miller (FL)	Sessions
Israel	Miller (MI)	Sestak
Issa	Miller (NC)	Shadegg
Jackson (IL)	Miller, Gary	Shea-Porter
Jackson-Lee	Miller, George	Sherman
(TX)	Minnick	Shimkus
Jenkins	Mitchell	Shuler
Johnson (GA)	Mollohan	Simpson
Johnson (IL)	Moore (KS)	Sires
Johnson, E. B.	Moore (WI)	Skelton
Johnson, Sam	Moran (KS)	Slaughter
Jones	Moran (VA)	Smith (NE)
Kagen	Murphy (CT)	Smith (NJ)
Kanjorski	Murphy (NY)	Smith (TX)
Kaptur	Murphy, Tim	Smith (WA)
Kennedy	Murtha	Snyder
Kildee	Myrick	Souder
Kilpatrick (MI)	Nadler (NY)	Space
Kilroy	Napolitano	Speier
Kind	Neal (MA)	Spratt
King (IA)	Neugebauer	Stark
King (NY)	Nye	Stearns
Kingston	Oberstar	Sullivan
Kirk	Obey	Sutton
Kirkpatrick (AZ)	Olson	Tanner
Kissell	Oliver	Taylor
Klein (FL)	Ortiz	Teague
Kline (MN)	Pallone	Terry
Kosmas	Pascarella	Thompson (CA)
Kratovil	Pastor (AZ)	Thompson (MS)
Kucinich	Paulsen	Thompson (PA)
Lamborn	Payne	Thornberry
Lance	Pence	Tiahrt
Langevin	Perlmutter	Tiberi
Larsen (WA)	Perriello	Tierney
Larson (CT)	Peters	Titus
Latham	Peterson	Tonko
LaTourette	Petri	Towns
Latta	Pingree (ME)	Tsongas
Lee (CA)	Pitts	Turner
Lee (NY)	Platts	Upton
Levin	Poe (TX)	Polis (CO)
Lewis (CA)	Polis (CO)	Pomeroy
Lewis (GA)	Posey	Price (GA)
Linder	Price (NC)	Putnam
Lipinski	LoBiondo	Quigley
LoBiondo	Loebach	Radanovich
Loebach	Lofgren, Zoe	Rahall
Lofgren, Zoe	Lowe	Rangel
Lowe	Lucas	Rehberg
Luetkemeyer	Luetkemeyer	Reichert
Lujan	Lujan	Reyes
Lummis	Lummis	Richardson
Lungren, Daniel	Lungren, Daniel	Rodriguez
E.	E.	Roe (TN)
Lynch	Lynch	Rogers (AL)
Mack	Mack	Rogers (KY)
Maffei	Maffei	Rogers (MI)
Maloney	Maloney	Rohrabacher
Manzullo	Manzullo	Rooney
Marchant	Marchant	Ros-Lehtinen
Markey (CO)	Markey (CO)	Roskam
Markey (MA)	Markey (MA)	Ross
Marshall	Marshall	Rothman (NJ)
Massa	Massa	Roybal-Allard
Matheson	Matheson	Royce
Matsui	Matsui	
McCarthy (CA)	McCarthy (CA)	

NAYS—1

Paul

NOT VOTING—9

Murphy, Patrick	Shuster
Nunes	Stupak
Sánchez, Linda	
T.	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes left in the vote.

□ 1706

So (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

# CALLING ON THE U.S. AND INTERNATIONAL COMMUNITY TO ADDRESS THE NEEDS OF SRI LANKA'S TAMIL INTERNALLY DISPLACED PERSONS

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and agreeing to the resolution, H. Res. 711, as amended.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. BERMAN) that the House suspend the rules and agree to the resolution, H. Res. 711, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

RECORDED VOTE

Mr. SCHAUER. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 421, noes 1, not voting 10, as follows:

[Roll No. 854]

AYES—421

Abercrombie	Boren	Clarke
Ackerman	Boswell	Clay
Aderholt	Boucher	Cleaver
Adler (NJ)	Boustany	Clyburn
Akin	Boyd	Coble
Alexander	Brady (PA)	Coffman (CO)
Altmire	Brady (TX)	Cohen
Andrews	Bright	Cole
Arcuri	Broun (GA)	Conaway
Austria	Brown (SC)	Connolly (VA)
Baca	Brown, Corrine	Conyers
Bachmann	Brown-Waite,	Cooper
Bachus	Ginny	Costa
Baird	Buchanan	Costello
Baldwin	Burgess	Courtney
Barrett (SC)	Burton (IN)	Crenshaw
Barrow	Butterfield	Crowley
Bartlett	Buyer	Cuellar
Barton (TX)	Calvert	Culberson
Bean	Camp	Cummings
Becerra	Campbell	Dahlkemper
Berkley	Cantor	Davis (AL)
Berman	Cao	Davis (CA)
Berry	Capito	Davis (IL)
Biggert	Capps	Davis (KY)
Bilbray	Capuano	Davis (TN)
Bilirakis	Cardoza	DeFazio
Bishop (GA)	Carnahan	DeGette
Bishop (NY)	Carney	Delahunt
Bishop (UT)	Carson (IN)	DeLauro
Blackburn	Carter	Dent
Blumenauer	Cassidy	Diaz-Balart, L.
Blunt	Castle	Diaz-Balart, M.
Bocchieri	Castor (FL)	Dicks
Boehner	Chaffetz	Dingell
Bonner	Chandler	Doggett
Bono Mack	Childers	Donnelly (IN)
Boozman	Chu	Doyle

Dreier  
Driehaus  
Duncan  
Edwards (MD)  
Edwards (TX)  
Ehlers  
Ellison  
Ellsworth  
Emerson  
Engel  
Eshoo  
Etheridge  
Fallin  
Farr  
Fattah  
Filner  
Flake  
Fleming  
Forbes  
Fortenberry  
Foster  
Foxy  
Frank (MA)  
Franks (AZ)  
Frelinghuysen  
Fudge  
Gallegly  
Garrett (NJ)  
Gerlach  
Giffords  
Gingrey (GA)  
Gohmert  
Gonzalez  
Goodlatte  
Gordon (TN)  
Granger  
Graves  
Grayson  
Green, Al  
Green, Gene  
Griffith  
Guthrie  
Gutierrez  
Hall (NY)  
Hall (TX)  
Halvorson  
Hare  
Harman  
Harper  
Hastings (FL)  
Hastings (WA)  
Heinrich  
Heller  
Hensarling  
Herger  
Herseth Sandlin  
Higgins  
Hill  
Himes  
Hinchey  
Hinojosa  
Hirono  
Hodes  
Hoekstra  
Holden  
Holt  
Honda  
Hoyer  
Hunter  
Inglis  
Inslee  
Israel  
Issa  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jenkins  
Johnson (GA)  
Johnson (IL)  
Johnson, E. B.  
Johnson, Sam  
Jones  
Kagen  
Kanjorski  
Kaptur  
Kennedy  
Kildee  
Kilpatrick (MI)  
Kilroy  
Kind  
King (IA)  
King (NY)  
Kingston  
Kirk  
Kirkpatrick (AZ)  
Kissell  
Klein (FL)  
Kline (MN)  
Kosmas

Kratovil  
Kucinich  
Lamborn  
Lance  
Langevin  
Larsen (WA)  
Latham  
LaTourette  
Latta  
Lee (CA)  
Lee (NY)  
Levin  
Lewis (CA)  
Lewis (GA)  
Linder  
Lipinski  
LoBiondo  
Loeb sack  
Lofgren, Zoe  
Lowey  
Lucas  
Luetkemeyer  
Luján  
Lummis  
Lungren, Daniel  
E.  
Lynch  
Mack  
Maffei  
Maloney  
Manzullo  
Marchant  
Markey (CO)  
Markey (MA)  
Marshall  
Massa  
Matheson  
Matsui  
McCarthy (CA)  
McCarthy (NY)  
McCaul  
McClintock  
McCollum  
McCotter  
McDermott  
McGovern  
McHenry  
McIntyre  
McKeon  
McMahon  
McMorris  
Rodgers  
McNerney  
Meek (FL)  
Meeks (NY)  
Melancon  
Mica  
Michaud  
Miller (FL)  
Miller (MI)  
Miller (NC)  
Miller, Gary  
Miller, George  
Minnick  
Mitchell  
Mollohan  
Moore (KS)  
Moore (WI)  
Moran (KS)  
Moran (VA)  
Murphy (CT)  
Murphy (NY)  
Murphy, Tim  
Murtha  
Myrick  
Nadler (NY)  
Napolitano  
Neal (MA)  
Neugebauer  
Nye  
Oberstar  
Obey  
Olson  
Oliver  
Ortiz  
Pallone  
Pascrell  
Pastor (AZ)  
Paulsen  
Payne  
Pence  
Perlmutter  
Perriello  
Peters  
Petri  
Pingree (ME)  
Pitts  
Platts

Poe (TX)  
Polis (CO)  
Pomeroy  
Posey  
Price (GA)  
Price (NC)  
Putnam  
Quigley  
Radanovich  
Rahall  
Rangel  
Rehberg  
Reichert  
Reyes  
Richardson  
Rodriguez  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Rooney  
Ros-Lehtinen  
Roskam  
Ross  
Rothman (NJ)  
Roybal-Allard  
Royce  
Ruppersberger  
Rush  
Ryan (OH)  
Ryan (WI)  
Salazar  
Sanchez, Loretta  
Sarbanes  
Scalise  
Schakowsky  
Schauer  
Schiff  
Schmidt  
Schock  
Schrader  
Schwartz  
Scott (GA)  
Scott (VA)  
Sensenbrenner  
Sessions  
Sestak  
Shadegg  
Shea-Porter  
Sherman  
Shimkus  
Shuler  
Simpson  
Sires  
Skelton  
Slaughter  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Snyder  
Souder  
Space  
Speier  
Spratt  
Stark  
Stearns  
Sullivan  
Sutton  
Tanner  
Taylor  
Teague  
Terry  
Thompson (CA)  
Thompson (MS)  
Thompson (PA)  
Thornberry  
Tiahrt  
Tiberi  
Tierney  
Titus  
Tonko  
Towns  
Tsongas  
Turner  
Upton  
Van Hollen  
Velazquez  
Visclosky  
Walden  
Walz  
Wamp  
Wasserman  
Schultz  
Waters  
Watson  
Watt

Waxman  
Weiner  
Welch  
Westmoreland  
Wexler

Whitfield  
Wilson (OH)  
Wilson (SC)  
Wittman  
Wolf

Woolsey  
Wu  
Yarmuth  
Young (AK)  
Young (FL)

Camp  
Campbell  
Cao  
Capito  
Capps  
Capuano  
Cardoza  
Carnahan  
Carney  
Carson (IN)  
Carter  
Cassidy  
Castle  
Castor (FL)  
Chaffetz  
Chandler  
Childers  
Chu  
Clarke  
Clay  
Cleaver  
Clyburn  
Coble  
Coffman (CO)  
Cohen  
Cole  
Conaway  
Connolly (VA)  
Conyers  
Cooper  
Costa  
Costello  
Courtney  
Crenshaw  
Crowley  
Cuellar  
Culberson  
Cummings  
Dahlkemper  
Davis (AL)  
Davis (CA)  
Davis (IL)  
Davis (KY)  
Davis (TN)  
DeFazio  
DeGette  
Delahunt  
DeLauro  
Dent  
Diaz-Balart, L.  
Diaz-Balart, M.  
Dicks  
Dingell  
Doggett  
Donnelly (IN)  
Doyle  
Dreier  
Driehaus  
Duncan  
Edwards (MD)  
Edwards (TX)  
Ehlers  
Ellison  
Ellsworth  
Emerson  
Engel  
Eshoo  
Etheridge  
Fallin  
Farr  
Fattah  
Filner  
Flake  
Fleming  
Forbes  
Fortenberry  
Foster  
Foxy  
Frank (MA)  
Franks (AZ)  
Frelinghuysen  
Fudge  
Gallegly  
Garrett (NJ)  
Gerlach  
Giffords  
Gingrey (GA)  
Gohmert  
Gonzalez  
Goodlatte  
Gordon (TN)  
Granger  
Graves  
Grayson  
Green, Al  
Green, Gene  
Griffith  
Guthrie  
Gutierrez

Hall (NY)  
Hall (TX)  
Halvorson  
Hare  
Harman  
Harper  
Hastings (FL)  
Hastings (WA)  
Heinrich  
Heller  
Hensarling  
Herger  
Herseth Sandlin  
Higgins  
Hill  
Himes  
Hinchey  
Hinojosa  
Hirono  
Hodes  
Hoekstra  
Holden  
Holt  
Honda  
Hoyer  
Hunter  
Inglis  
Inslee  
Israel  
Issa  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jenkins  
Jenkins  
Johnson (GA)  
Johnson (IL)  
Johnson, E. B.  
Johnson, Sam  
Jones  
Kagen  
Kanjorski  
Kaptur  
Kennedy  
Kildee  
Kilpatrick (MI)  
Kilroy  
Kind  
King (IA)  
King (NY)  
Kingston  
Kirk  
Kirkpatrick (AZ)  
Kissell  
Klein (FL)  
Kline (MN)  
Kosmas  
Kratovil  
Kucinich  
Lamborn  
Lance  
Langevin  
Larsen (WA)  
Larson (CT)  
Latham  
LaTourette  
Latta  
Lee (CA)  
Lee (NY)  
Levin  
Lewis (CA)  
Lewis (GA)  
Linder  
Lipinski  
LoBiondo  
Loeb sack  
Lofgren, Zoe  
Lowey  
Lucas  
Luetkemeyer  
Luján  
Lummis  
Lungren, Daniel  
E.  
Lynch  
Mack  
Maffei  
Maloney  
Manzullo  
Marchant  
Markey (CO)  
Markey (MA)  
Marshall  
Massa  
Matheson  
Matsui  
McCarthy (CA)  
McCarthy (NY)  
McCaul  
McClintock

McCollum  
McCotter  
McDermott  
McGovern  
McHenry  
McIntyre  
McKeon  
McMahon  
McMorris  
Rodgers  
McNerney  
Meek (FL)  
Meeks (NY)  
Melancon  
Mica  
Michaud  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Miller, George  
Minnick  
Mitchell  
Mollohan  
Moore (KS)  
Moore (WI)  
Moran (KS)  
Moran (VA)  
Murphy (CT)  
Murphy (NY)  
Murphy, Tim  
Murtha  
Myrick  
Nadler (NY)  
Napolitano  
Neal (MA)  
Neugebauer  
Nye  
Oberstar  
Obey  
Olson  
Oliver  
Ortiz  
Pallone  
Pascrell  
Pastor (AZ)  
Paulsen  
Payne  
Pence  
Perlmutter  
Perriello  
Peters  
Petri  
Pingree (ME)  
Pitts  
Platts  
Poe (TX)  
Polis (CO)  
Pomeroy  
Pomeroy  
Price (GA)  
Price (NC)  
Putnam  
Quigley  
Radanovich  
Rahall  
Rangel  
Rehberg  
Reichert  
Reyes  
Richardson  
Rodriguez  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Rooney  
Ros-Lehtinen  
Roskam  
Ross  
Rothman (NJ)  
Roybal-Allard  
Royce  
Ruppersberger  
Rush  
Ryan (OH)  
Ryan (WI)  
Salazar  
Sanchez, Loretta  
Sarbanes  
Scalise  
Schakowsky  
Schauer  
Schiff  
Schmidt  
Schock  
Schrader  
Schwartz

## NOES—1

Paul  
NOT VOTING—10

Braley (IA)  
Deal (GA)  
Grijalva  
Jordan (OH)

Larson (CT)  
Murphy, Patrick  
Nunes

Sánchez, Linda  
T.  
Shuster  
Stupak

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members have 2 minutes to vote.

□ 1715

So (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

The title of the resolution was amended so as to read: "Calling on the Government of Sri Lanka to address the human rights and humanitarian needs of its civilian internally displaced Tamil population currently living in government-run camps by working with the United Nations and the international community to implement a process of release and resettlement of such internally displaced persons (IDPs), and allowing foreign aid groups to provide relief and resources throughout the process."

A motion to reconsider was laid on the table.

## COMMISSIONING OF THE USS NEW YORK LPD 21

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 856, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Mississippi (Mr. TAYLOR) that the House suspend the rules and agree to the resolution, H. Res. 856.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 420, nays 0, not voting 12, as follows:

[Roll No. 855]

YEAS—420

Abercrombie  
Ackerman  
Aderholt  
Adler (NJ)  
Akin  
Alexander  
Altmire  
Andrews  
Arcuri  
Austria  
Baca  
Bachmann  
Bachus  
Baird  
Baldwin  
Barrett (SC)  
Barrow  
Bartlett  
Barton (TX)

Bean  
Becerra  
Berkley  
Berman  
Berry  
Biggert  
Billbray  
Billakis  
Bishop (GA)  
Bishop (NY)  
Bishop (UT)  
Blackburn  
Blumenauer  
Blunt  
Bocieri  
Boehner  
Bonner  
Bono Mack  
Boozman

Boren  
Boswell  
Boucher  
Boustany  
Boyd  
Brady (PA)  
Brady (TX)  
Bright  
Broun (GA)  
Brown (SC)  
Brown, Corrine  
Brown-Waite,  
Ginny  
Buchanan  
Burgess  
Burton (IN)  
Butterfield  
Buyer  
Calvert

Scott (GA)	Stark	Walden
Scott (VA)	Stearns	Walz
Sensenbrenner	Sullivan	Wamp
Serrano	Sutton	Wasserman
Sessions	Tanner	Schultz
Sestak	Taylor	Waters
Shadegg	Teague	Watson
Shea-Porter	Terry	Watt
Sherman	Thompson (CA)	Waxman
Shimkus	Thompson (MS)	Weiner
Shuler	Thompson (PA)	Welch
Simpson	Thornberry	Westmoreland
Sires	Tiahrt	Wexler
Skelton	Tiberi	Whitfield
Slaughter	Tierney	Wilson (OH)
Smith (NE)	Titus	Wilson (SC)
Smith (NJ)	Tonko	Wittman
Smith (TX)	Towns	Wolf
Smith (WA)	Tsongas	Woolsey
Snyder	Turner	Wu
Souder	Upton	Yarmuth
Space	Van Hollen	Young (AK)
Speier	Velázquez	Young (FL)
Spratt	Visclosky	

## NOT VOTING—12

Braley (IA)	Miller (NC)	Sánchez, Linda
Cantor	Murphy, Patrick	T.
Deal (GA)	Nunes	Shuster
Grijalva	Paul	Stupak
Jordan (OH)		

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes remain in the vote.

□ 1723

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Ms. LINDA T. SÁNCHEZ of California. Madam Speaker, due to illness, I was unable to be present in the Capitol for votes on today, Wednesday, November 4, 2009.

However, had I been present, I would have voted the following way: Ordering the Previous Question on H.R. 3639—"yea"; the rule to Debate H.R. 3639—"aye"; H. Res. 858 congratulating the Inter-American Foundation (IAF) on its 40th anniversary—"yea"; H. Res. 839 condemning the illegal extraction of Madagascar's natural resources—"yea"; Hensarling (TX) Amendment to H.R. 3639—"aye"; McCarthy (NY) Amendment to H.R. 3639—"aye"; Maffei (NY) Amendment to H.R. 3639—"aye"; Sutton (OH) Amendment to H.R. 3639—"aye"; Sutton (OH)/Stupak (MI) Amendment to H.R. 3639—"aye"; final Passage of H.R. 3639—Expedited CARD Reform for Consumers Act of 2009—"aye"; H. Res. 863—Recognizing November 2 as World Pneumonia Day—"yea"; H. Res. 641—Recognizing the 60th anniversary of the founding of Radio Free Europe/Radio Liberty—"yea"; H. Res. 711—Calling on the United States Government and the international community to address the human rights and humanitarian needs of Sri Lanka's Tamil—"aye"; H. Res. 856—Recognizing the Commissioning of the USS New York LPD 21—"yea".

I also would have voted "no" on the Motion to Recommit H.R. 3639.

## PERSONAL EXPLANATION

Mr. BRALEY of Iowa. Madam Speaker, I missed votes today, Wednesday, November 4, 2009. If I were present, I would have voted:

"Yea" on rollcall 841, On Ordering the Previous Question, Providing for consideration of H.R. 3639, Expedited CARD Reform for Consumers Act of 2009; "aye" on rollcall 842, On Agreeing to the Resolution, Providing for consideration of H.R. 3639, Expedited CARD Reform for Consumers Act of 2009; "yea" on rollcall 843, On Motion to Suspend the Rules and Pass H. Res. 858—Congratulating the Inter-American Foundation (IAF) on its 40th anniversary and recognizing its significant accomplishments and contributions; "yea" on rollcall 844, On Motion to Suspend the Rules and Pass H. Res. 839—Condemning the illegal extraction of Madagascar's natural resources; "aye" on rollcall 845, On agreeing to the Hensarling Amendment to H.R. 3639; "aye" on rollcall 846, On agreeing to the McCarthy Amendment to H.R. 3639; "aye" on rollcall 847, On agreeing to the Maffei Amendment to H.R. 3639; "aye" on rollcall 848, On agreeing to the Sutton Amendment Number 4 to H.R. 3639; "aye" on rollcall 849, On agreeing to the Sutton Amendment Number 5 to H.R. 3639; "no" on rollcall 850, On Motion to Recommit with Instructions to H.R. 3639; "aye" on rollcall 851, On Final Passage of H.R. 3639, the Expedited CARD Reform for Consumers Act of 2009; "yea" on rollcall 852, On Motion to Suspend the Rules and Agree, as Amended H. Res. 863, Recognizing the scourge of pneumonia, urging the United States and the world to mobilize cooperation and prioritize resources to fight pneumonia and save children's lives, and recognizing November 2 as World Pneumonia Day; "yea" on rollcall 853, On Motion to Suspend the Rules and Agree, as Amended H. Res. 641, Recognizing the 60th anniversary of the founding of Radio Free Europe/Radio Liberty; "yea" on rollcall 954, On Motion to Suspend the Rules and Agree, as Amended H. Res. 711, Calling on the United States Government and the international community to address the human rights and humanitarian needs of Sri Lanka's Tamil internally displaced persons (IDP's); "yea" on rollcall 855, On Motion to Suspend the Rules and Agree to H. Res. 856, Recognizing the Commissioning of the USS New York LPD 21.

## HONORING SEATTLE POLICE OFFICER TIM BRENTON

(Mr. McDERMOTT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McDERMOTT. Madam Speaker, I rise today to honor a public servant, Seattle Police Officer Tim Brenton. Officer Brenton was killed in the line of duty last week on October 31, 2009. Officer Brenton lost his life in an apparent deliberate murder that has shocked Seattle and frozen our hearts.

Officer Brenton leaves behind his wife and two children and the rest of his family, including a father and an uncle who also served the public as police officers and a brother who is a firefighter. He leaves behind a partner, Officer Britt Sweeney, who was also wounded that night.

He leaves behind a police department in mourning, and he leaves behind a community in shock because of this brutal and senseless crime. But more

than that, he leaves behind a legacy of selflessness, of caring, and of commitment to service. We all owe a great debt to Officer Brenton and to the many public servants who place their lives on the line to protect us.

The Seattle Times newspaper noted that a neighbor called the Brentons "just a regular American family, going to work, making a living." But the Brentons are no regular family. They have been doubly marked by valor and by sacrifice. The perpetrators of this tragic crime have marked all of us as we mourn the effects of this violence on the family and friends of Officer Brenton.

I ask you all to join me in bowing your heads in remembrance of Officer Brenton.

## HONORING U.N. GUARD LOUIS MAXWELL

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Madam Speaker, I rise tonight to honor a courageous south Floridian who made the ultimate sacrifice in the line of duty. U.N. Guard Louis Maxwell died fighting Taliban attackers at a hotel in Afghanistan last week. Louis and another U.N. security guard held off the terrorists and, in the process, saved innocent lives.

Louis graduated from Miami Central High School in the year 2000. He was such an outstanding trumpet player that he was offered a full music scholarship to Florida A&M University, yet he decided to serve his country and enlisted in the United States Navy. Louis later became a U.N. guard in the year 2007.

U.N. Secretary General Ban Ki-moon praised Louis' bravery by saying the following: "They fought through the corridors of the building and from the rooftop. They held off the attackers long enough for their colleagues to escape, armed only with pistols against assailants carrying automatic weapons and grenades and wearing suicide vests."

I hope Louis' mother, Sandra, takes comfort in knowing that 17 people are alive today because of her son. I join her and the rest of his family in thanking Louis for his service, honoring his memory, and making sure that Louis will never be forgotten.

□ 1730

## TORT REFORM NEEDED

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Madam Speaker, according to a Harvard School of Public Health study, 40 percent of medical malpractice suits in the U.S. are "without merit." These frivolous lawsuits enrich trial lawyers while increasing the cost of health care for everyone.

Despite the fact that tort reform would help reduce health care costs, the administration refuses to propose this commonsense solution. Why is that?

According to former Democratic National Committee Chairman Howard Dean, "Tort reform is not in the (health care) bill because the people who wrote it don't want to take on the trial lawyers."

In the handful of States that have enacted tort reform, health care costs have fallen, and the availability of medical care has expanded.

Tort reform and reducing the number of frivolous lawsuits against hospitals and doctors would help all Americans.

#### NO PUBLIC FUNDING FOR ABORTIONS

(Mr. INGLIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. INGLIS. Madam Speaker, there are many things wrong with the Pelosi health care bill. Some of them rise to moral issues, and certainly the moral issue that I am focused on right now is the abortion issue.

There are a lot of people who want to say, Well, there won't be public funds used for abortion, but really, please, when we debate this bill, let's not insult the intelligence of other Members of Congress or of the American people. There is a clear commingling of resources. If you set up a public option and then there is money flowing into that from taxpayers, that money will ultimately find its way to abortion services.

So what we need in order to avoid that problem that many of us have of funding abortions with taxpayer money is an expressed prohibition on abortion services. There needs to be a bright line in this bill saying there will be no support for abortion services anywhere in the bill, similar to the Hyde amendment in HHS appropriations.

So, Madam Speaker, this is something that needs to be done in order to make it clear and to avoid this moral challenge.

#### SPECIAL ORDERS

The SPEAKER pro tempore (Ms. TITUS). Under the Speaker's announced policy of January 6, 2009, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

#### AFFORDABLE HEALTH CARE FOR AMERICA ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. CUMMINGS) is recognized for 5 minutes.

Mr. CUMMINGS. Madam Speaker, I am compelled to address this body tonight after having listened to my col-

leagues over the last few days fabricate falsely about the Affordable Health Care for America Act.

Every 12 minutes, an American dies in the greatest country on Earth simply because he cannot afford to live. Americans lie right now, as I speak, in their homes while in pain, suffering because they cannot afford the care that would bring them relief.

I meet people in my district who choose between medication and food, parents who go without medical treatment to pay for heat and clothing for their children, and family members who believe with all their hearts that loved ones have died because they lacked adequate health care.

Like the misrepresentations about this bill, these injustices must stop. The time to act is now. In the words of President Obama, we must have the urgency of now.

H.R. 3962 helps uninsured Americans immediately. It immediately creates an insurance program with financial assistance for those who are uninsured or for those who have been denied policies because of preexisting conditions. It also allows those who are unemployed to keep their COBRA coverage until the exchange is operational.

Health insurance reform will mean greater stability and lower costs for all Americans. That means affordability for the middle class, security for our seniors, and responsibility to our children. It also will mean coverage for 96 percent of Americans. According to the CBO, the bill reduces the deficit by \$30 billion over the first 10 years.

In their speeches, Republicans have described this bill as the Speaker's bill. They call it the "Pelosi bill." This bill does not belong to the Speaker, although she has done a phenomenal job in helping us to craft it.

This bill belongs to the hardworking Americans who have insurance but who want a more transparent and stable health care marketplace that focuses on quality, affordable choices for all Americans, and that keeps insurers honest.

It belongs to 47 million Americans who are suffering and who have no help on the horizon.

This bill belongs to the seniors living in rural areas all over our country who will receive better Medicare coverage because of this bill.

It belongs to the children throughout our Nation who are so poor that their parents cannot even afford checkups. These are the children whose lives will be crippled by diabetes simply because doctors have not diagnosed them as being at risk.

Our children are our living messages we send to a future we will never see. The question is: What type of message are we sending? They will suffer simply because they do not know how to reverse the symptoms leading them down a troubled road.

This bill belongs to 44,000 Americans who die every year because they lack insurance. They have been guaranteed

life, liberty, and the pursuit of happiness by founding documents to which my colleagues on the other side of the aisle constantly refer. Americans are denied those things by the thousands. They cannot afford care and so they die.

That's right, Madam Speaker. For every page that Republicans have printed out and have used as props, for every page, 22 Americans will die this year because they cannot pay for the care that will save their lives.

It is telling that, using valuable tax dollars, they printed those pages to make copies of a bill that is available, searchable, and downloadable online. It is a perfect metaphor for the millions of dollars this bill will save Americans.

Our health care system will save more than \$150 billion every year, a call that President Obama made in the beginning of his campaign. The bill moves America to a health care system with an electronic recordkeeping system, cutting fraud, excessive administrative costs and medical mistakes.

Republicans do not care about those savings or about that progress. Like the pages of the taxpayer-provided paper used here today on this floor, they are props—only interested in being weights to drag down, to slow down, and to eventually stop true health care reform.

It pains me to say these words, but this is how I feel.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

(Mr. POE of Texas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### ABRAHAM LINCOLN ON PRESERVING OUR FREEDOM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Ms. FOXX) is recognized for 5 minutes.

Ms. FOXX. Madam Speaker, in the ongoing debate over health care reform, the topic of freedom is often overlooked, but it ought not be. The Democrats' health care bill is a massive expansion of government that will alter the lives and livelihoods of every person in America. For many, that means higher taxes; and for even more, it will mean an unprecedented intrusion of Federal Government bureaucrats into the way we receive health care. This is a fundamental erosion of our freedom.

The great freedom fighter, Abraham Lincoln, gave a speech in Springfield, Illinois, in 1838 where he touched on the idea of the loss of freedom. He was very explicit. He explained that our country could one day suffer a loss of freedom, not by an outside attack but from within. I will quote what Lincoln said and then give it in its larger context:

"At what point then is the approach of danger to be expected? I answer: If it ever reach us, it must spring up amongst us. It cannot come from abroad. If destruction be our lot, we must ourselves be its author and finisher. As a nation of freemen, we must live through all time or die by suicide."

The larger context of those words is as follows:

"In the great journal of things happening under the sun, we, the American people, find our account running, under date of the 19th century of the Christian era. We find ourselves in the peaceful possession of the fairest portion of the Earth as regards extent of territory, fertility of soil and salubrity of climate. We find ourselves under the government of a system of political institutions, conducing more essentially to the ends of civil and religious liberty than any of which the history of former times tells us. We, when mounting the stage of existence, found ourselves the legal inheritors of these fundamental blessings. We toiled not in the acquirement or establishment of them. They are a legacy bequeathed us by a once hardy, brave and patriotic but now lamented and departed race of ancestors. Theirs was the task, and nobly they performed it, to possess themselves and, through themselves, us, of this goodly land; and to uprear upon its hills and its valleys a political edifice of liberty and equal rights; 'tis ours only to transmit these—the former, unprofaned—by the foot of an invader; the latter, undecayed by the lapse of time and untorn by usurpation, to the latest generation that fate shall permit the world to know. This task of gratitude to our fathers, justice to ourselves, duty to posterity, and love for our species in general all imperatively require us faithfully to perform."

"How then shall we perform it? At what point shall we expect the approach of danger? By what means shall we fortify against it? Shall we expect some transatlantic military giant to step the ocean and crush us at a blow? Never. All the armies of Europe, Asia and Africa combined, with all the treasure of the Earth, our own excepted, in their military chest, with a Bonaparte for a commander, could not by force take a drink from the Ohio or make a track on the Blue Ridge in a trial of a thousand years."

"At what point then is the approach of danger to be expected? I answer: If it ever reach us, it must spring up amongst us. It cannot come from abroad. If destruction be our lot, we must ourselves be its author and finisher. As a nation of freemen, we must live through all time or die by suicide."

□ 1745

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. TOWNS) is recognized for 5 minutes.

(Mr. TOWNS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### SUPPORTING BETTER HOME CARE FOR OLDER AMERICANS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Alabama (Mr. GRIFFITH) is recognized for 5 minutes.

Mr. GRIFFITH. Madam Speaker, almost one in seven residents in my home State of Alabama is over the age of 65, a sector of the American population that is expected to grow dramatically over the next 2 decades. As our citizens age, many will develop costly and debilitating health conditions that will require additional care and additional expenditures for the Medicare system.

Advanced home health treatments are now targeting some of the most serious illnesses and have been successful in keeping more of the elderly out of the hospitals and reducing the cost to Medicare. There are numerous cases in Alabama where home health care has been instrumental in preventing emergency room visits and hospital readmissions and helping older residents to live more independently at home for as long as possible.

Our goal is to improve the care of Americans and control rising costs, especially in our Medicare population. Home health care is meeting these goals and has the potential to do even more.

Yet there are provisions in the House health reform legislation that would cut \$57 billion from the Medicare home health program over the next decade. If these reductions remain in the bill, they will surely have an adverse effect on the access to home care for our senior citizens.

The cuts in home health care services in the bill are significantly disproportionate to other provider sectors. The bill seeks 14 percent of all Medicare cuts from home health care, while home health makes up only 4 percent of the Medicare program currently. This disproportionate impact is further magnified by the fact that, unlike most other health care providers and insurers, expanding health insurance will have no meaningful increase in the home health care business.

Home health patients average nearly 80 years of age and are already insured by Medicare and Medicaid. This means that the Medicare cuts to home health agencies are not offset by new revenues from newly insured patients. Instead, the proposed cuts of over 14 percent of spending on home health services will be as can be.

For these reasons, I urge my colleagues to reject the proposed cuts to home health care and support better care at home for all older Americans.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES of North Carolina addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### HONORING THE ACCOMPLISHMENTS OF FURMAN BISHER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. GINGREY) is recognized for 5 minutes.

Mr. GINGREY of Georgia. Madam Speaker, I rise today to honor the accomplishments of famed Atlanta sports reporter Furman Bisher upon his retirement from the Atlanta Journal Constitution after 59 years.

Furman Bisher was born on November 4, 1918, in Denton, North Carolina, and became the editor of the Charlotte News in 1940. During World War II, he honorably served our Nation from 1941 until 1945.

In 1950, Furman Bisher became a sports editor for the Atlanta Constitution, and in 1957 he became sports editor and columnist for the Atlanta Journal and the Sunday Journal-Constitution.

Furman Bisher's accomplishments are legendary. He was the president of the Football Writers Association of America in 1959 and 1960 and named one of the Nation's five best columnists by Time Magazine in 1961. Furman was president of the National Sportscasters and Sports Writers Association from 1974 to 1976, and he covered every Kentucky Derby since 1950. He also covered every National Football League Super Bowl, except the very first one played in 1967.

As an Atlanta Braves fan, I am particularly grateful for the crucial role Furman played in facilitating the arrival of the Braves baseball team to Atlanta, which was Atlanta's very first professional sports team.

Furman Bisher is a member of the Atlanta Sports Hall of Fame, the International Golf Writers Hall of Fame and the National Sportscasters and Sports Writers Hall of Fame, and he was a recipient of Professional Golfers Association's Lifetime Achievement in Journalism Award in 1996.

A testament to Furman's reputation from the very beginning can be traced to 1949, when he became the only person since 1919 to secure an interview with "Shoeless" Joe Jackson, who had been banned from baseball.

Furman Bisher retired from the Atlanta Journal Constitution on October 10, 2009, after 59 years of service, typing his last column on the Royal typewriter that was the instrument of his first Constitution column back in 1950.

At age 90, Furman is still going strong, splitting his time between a homestead in Fayette County and a retreat on St. Simons Island with his wife of 21 years, Linda.

Furman Bisher's legacy is lasting. He wrote over 10,000 columns in the Atlanta Journal Constitution and hundreds more in newspapers in North Carolina dating back to 1938.

He forever impacted sports reporting and the Atlanta sports landscape with his actions and commentary. I know I, for one, like millions of others throughout the years, always enjoyed reading his column, and will deeply miss flipping to the sports section to find what he had to say about the sports news of the day, for it was in 1960 as a freshman at Georgia Tech that I first read his column and every Sunday morning watched his college football roundup in the TV lab at the Sigma Nu fraternity house.

I wish Furman and Linda Bisher all the best as they enjoy their retirement.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Ms. WOOLSEY) is recognized for 5 minutes.

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

#### ENOUGH IS ENOUGH IN AFGHANISTAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. MASSA) is recognized for 5 minutes.

Mr. MASSA. Madam Speaker, on the 7th of October of 2001, when we invaded Afghanistan, a soldier's then 10-year-old child in 5th grade is now 18, and either out of the house, off to college, or starting a young adulthood of his or her own, having grown up virtually without the benefit of military parents, some of whom today face their fifth deployment.

Today marks the 2,950th day of combat in the war in Afghanistan; 2,950 days, without asking for a concurrent sacrifice from the American people. It is only the uniformed forces and their families upon whom we have placed the burden of these 2,950 days of war.

The Congressional Research Service estimates that we have now spent or committed \$300 billion, and that is only the money for which we can account. Some will say it is twice that, for this war, like the war in Iraq, was funded off-budget with no transparency. \$300 billion. That is about \$101 million per day for 2,950 days. Or, to put out another average, that is \$3,947 per family of four that every American family has paid to date.

Tragically, that is the good news, because the irrevocable loss is comprised of 911 American combatants killed and 4,198 seriously wounded, and we do not have the ability to estimate the long-term wounds that we cannot see or quantify that will be carried by the soldiers and sailors and airmen and marines of this conflict for the rest of their lives.

We have now been in Afghanistan for 2,950 days. We fought World War I for 584 days. We have been in Afghanistan five times longer than we fought the "war to end all wars." And we have

been in Afghanistan twice as long as the entire combined combatant days of World War II fought by the Greatest Generation.

Today is the 2,950th day of this war. It has cost us \$300 billion, \$3,947 per American family.

Enough is enough. It is time to bring our troops home.

More than any other issue that I have studied, sought counsel on, and drawn from my own life's experience for guidance since becoming a Member of the United States Congress, the expansion of the war in Afghanistan has drawn my late night focus. There, in the quiet of the office, I have arrived at the inevitable conclusion that the deployment of additional troops in Afghanistan and the continuation of this conflict is both not in the interest of our Nation, and, in fact, is on par with a potential error the size of our initial invasion in Iraq.

The recent election in Afghanistan has underscored the fact that we will never create a Jeffersonian democracy in that nation. After Hamid Karzai had about one-third of his ballots thrown out due to election fraud, his opponent withdrew from the coming election because he stated publicly there could not be a scenario under which he could trust the election process.

A continued escalation of this conflict to do things like secure elections and build an Afghan national identity is a false and foolish waste of American lives and treasure. Quite simply, we will never create a Jeffersonian democracy, and to continue to fight and die for what the people of Afghanistan will not fight and die for is simply wrong.

Our military should not be expended to secure elections, nor should we continue to engage in global nation building. To those who would say that we must win in Afghanistan, I simply ask after 24 years of service in the United States military and a degree from the United States War College, what does a victory look like and when can we obtain this indefinable goal?

Are we now to subordinate ourselves to an Afghan Government that has, at best, limited legitimacy in its own nation following a travesty of an election that only recently was determined to be the number one priority of our on-scene and on-the-ground commander?

When we first invaded Afghanistan, the mission was to identify, locate, capture and kill those who did or would do us harm. Al Qaeda terrorists and their camps were destroyed and the remaining elements of the organization are now in Pakistan. The regional Commander of U.S. military forces has clearly stated this reality.

Today, November 4, 2009, is the 2,950th day of the war in Afghanistan and I think that is long enough.

After these 8 years, it is clear that only the Afghan people themselves can determine their future. We built the army that destroyed Nazi Germany and Imperial Japan in 3 years. We have now been fighting a war for the Afghan people for 8 years. Enough is enough. We have achieved our military goals, and our

forces have been militarily victorious. We are now fighting an enemy who is attacking us because we are in their country and are perceived as an occupying military police force. We are not, and it is time to come home.

To continue this war at its current level and to escalate it beyond its current scope is a trillion dollar question. Are those who would so cavalierly make this commitment willing to demand another \$3,947.36 from every American family of four to pay for it? Thousands have protested federal spending to rebuild America's schools, roads, bridges and critical infrastructure, but are they willing to do the same when their taxes are being spent to rebuild Kabul? At the end of the day, what will we have bought? What have we purchased for the \$300 billion we have already spent or committed to the war in Afghanistan and where will the next \$300 billion come from?

Should terrorist camps reemerge there, we must deal with that, but there is no evidence that any of the numerous tribal factions want this; in fact, it is clear that they do not. The "war of necessity" has been fought, our enemies killed or captured. We have won and it is our clear, patriotic duty to bring our military forces home to defend vital American interests; 2,950 days and \$300 billion is enough.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### HONORING MR. ROBERT J. "BOB" JENSEN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Ms. ROS-LEHTINEN) is recognized for 5 minutes.

Ms. ROS-LEHTINEN. Madam Speaker, I rise tonight to honor the accomplishments and the ongoing work of one of South Florida's finest residents, Mr. Robert J. "Bob" Jensen of Homestead. Bob and his wonderful wife, Meda, are well-known for their caring and giving personalities and for their selfless work on behalf of our community.

Meda tells us that Bob's history began in a small town in Iowa where he was born and raised. He left Iowa in 1954 to serve in our U.S. Navy. He enlisted, excelled, and made Chief in 7 years. Three years later, Bob was selected for Officer Candidate School and was commissioned.

Commander Bob Jensen's specialty in the Navy was cryptology. I happen to know that his work is still classified, so please don't ask Bob. He still can't tell you about it.

The last place that Bob was stationed was our dear Homestead, Florida, and after 28 years in the United States Navy, Bob retired and chose to stay in Homestead with his wife Meda and family; Russell, Robert, Christian and



Jessica. The Jensens now have lots of beautiful grandchildren.

In 1983, First National Bank's President Bill Losner asked Bob to join the bank. Bill Losner knew Bob Jensen well. He picked out a career that perfectly suited Bob and that helped First National Bank excel in Community Outreach and Marketing.

As Vice President, Bob Jensen invested the bank's resources and began investing all his time to touch and nurture groups, organizations, and projects throughout Miami-Dade County. Everyone has told us, out of all of his volunteer and community work, Bob is proudest of his efforts to create better farm workforce housing.

Bob is also the former Chair and Commissioner with Homestead Housing and has served on the board for Centro Campesino. This outfit trains farm workers for better jobs, mostly in construction, and helps enable farm workers to build and purchase their own homes. These are wonderful legacies for Bob, his fellow board members, and those farm workers who have achieved the American dream of home ownership.

Did I mention Bob and Meda's work with the Pioneer Museum? Well, almost every Saturday of the year the Jensens and their trained docents give historical tours about our area at a restored railroad station house on Krome Avenue. He has also collected hundreds of historical photographs, on display at local shops, hotels, and other businesses in the Homestead area.

□ 1800

Bob is also a member of the Agri-Council, which educates south Floridians and visitors on the history of the agricultural sector of south Florida. Bob serves on the Military Affairs Committee of the Homestead and Florida City Chamber of Commerce, helping our active duty, reserve, and retired military personnel. And just 5 years ago, Bob created the Heritage Hall Museum at Homestead Air Reserve Base to record its history. He's called "Mr. Homestead," a term of affection from a grateful community.

Indeed, Bob Jensen is a man about town. He's helping save the meal program that provides breakfast and lunch to the vast majority of school children at Laura Saunders Elementary.

He's received numerous awards and honors: Leadership South Dade's Leader of the Year; Presidential Award from the Homestead Chamber; honors from the Boy Scouts of America, the Mexican American Council, the American Red Cross, Miami-Dade County Public Schools, and the Miami-Dade Legislative Delegation.

Bob Jensen is a historian, a volunteer, a mentor, a leader, and a friend to all whom he touches. God has blessed our Nation and our community with a great man, Bob Jensen.

The SPEAKER pro tempore (Mr. DRIEHAUS). Under a previous order of

the House, the gentleman from Kansas (Mr. MORAN) is recognized for 5 minutes.

(Mr. MORAN of Kansas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. BISHOP) is recognized for 5 minutes.

(Mr. BISHOP of New York addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. MCHENRY) is recognized for 5 minutes.

(Mr. MCHENRY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

(Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. HASTINGS) is recognized for 5 minutes.

(Mr. HASTINGS of Washington addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### HEALTH CARE REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentlewoman from California (Ms. WATSON) is recognized for 60 minutes as the designee of the majority leader.

Ms. WATSON. Mr. Speaker, the Affordable Health Care for America Act, our House bill, 3962, will make health care affordable for middle class families, provide security for seniors, and guaranteed access to health insurance coverage for the uninsured.

I'd like to go through these charts to let the viewing audience, Americans, and particularly Californians, know what will be provided by the Affordable Health Care for America Act. And this is a blend of three different bills that came out of various committees in front of the public, voted out by the committee, amended, and now combined in one bill.

Our first interest is making health care affordable for the middle class

families. We want to guarantee security for our seniors. We want responsibility to our children, and it will not add a dime to the deficit.

The health insurance reform means ending discrimination for people who have preexisting medical conditions. You can never be denied coverage because you have a preexisting condition. No dropped coverage if you become sick. You know, so many people get into the health care system when they're acutely ill, and that means they cannot go to work. Then they find that they're having trouble paying their house note, paying their car note, even buying food. And we want them to know that there will be no dropped coverage if you become ill or you lose your job. No copays for preventative care. And we want Americans to go see their health care provider as often as they need to so they can stay healthy. We want to prevent conditions that require medical care. But if you should fall ill, you can be covered for your medical treatment.

Yearly caps on what you pay and no caps on what insurance companies pay. Reining in health costs for families is one of our major targets, reining in health care costs for businesses and for government.

You know, people talk about not wanting government in between their doctor and themselves. Well, just think about that statement. What is Medicare and Medicaid? What is Social Security? These are government programs. We call them the safety net so you will not fall through the cracks and into devastation. We want fiscal responsibility and we want to reduce the deficit. We want to eliminate from health care waste, fraud, and overpayments to private insurance companies. Why should health care of Americans be for profit? Health care ought to be guaranteed to every American. There's major emphasis on innovation, on keeping people well, and prevention.

Now, misinformation is out there galore. You need to understand this: If you have insurance, you like your insurance, you keep it. And if you have a doctor, you can keep that doctor. Certainly you can keep that plan. And, remember, this bill came about because there were 38 million people in America that were uncovered, and every American should have health coverage.

We want to emphasize for seniors we strengthen Medicare and we improve the benefits. There is one Member that is telling everyone that we're going to take away the benefits from our seniors. That is so untrue. We want to improve benefits, including closing the doughnut hole, and we will get into that a little later.

If you don't have or you lose your insurance, a new health insurance exchange. It's more like a one-stop-shopping marketplace, and it includes a public option. Now, what does "option" mean? It means a decision. It means a choice. It means you have the right to make your own choice. And a public

option for consumers means competition for better prices and better coverage. We want to be sure your coverage is affordable and accessible and of quality. And there will be affordability credits to help Americans and small businesses buy insurance.

Now, if we don't have health reform, there will be skyrocketing health care costs, and it will increase by \$1,800 each year for the average family. Care and medication already postponed by more than half of all Americans may become more unaffordable, and Americans face a 50/50 chance of losing their insurance in the next 10 years.

Mr. Speaker, I would like to yield to our Member from California, JUDY CHU, who might make some comments, and then we might have some questions back and forth.

Ms. CHU. Mr. Speaker, the health care reform bill is crucial to Californians across the State, but it will especially benefit my constituents in the San Gabriel Valley and East L.A. who struggle every day to survive without proper health care.

The percentage of California residents that lack health insurance is about 19 percent, one of the highest rates in the country. But fully one-third or 33 percent of the residents of my district are uninsured. This is a situation that is simply unacceptable for a State and the Nation that prides itself on being the most advanced and wealthiest in the world.

But this bill will provide everybody stability, security, and peace of mind. It will provide peace of mind for the low income and uninsured. People like Patricia, who is age 64 and had insurance until she retired. Then she was left without insurance and she got very sick. Her kidneys failed, and she was too young for Medicare. It was not until she was in the intensive care unit and dying of renal failure that she was able to qualify for early Medicare benefits. This situation will not occur with health care reform. With health care reform, people like Patricia will be able to buy health care and there will be credits provided to her so that she can afford it.

Health care reform will be good for people who don't have coverage right now, people like Scott, who had insurance all his life but changed jobs, became self-employed, and wanted to buy insurance but found, to his shock, that he was denied because of a preexisting condition. He had asthma as a child. Health care reform will help him because he will not be denied because of a preexisting condition. He will not have to worry about being dropped from insurance because of a serious illness. He will not have to worry about copays and deductibles that will cause him to go into bankruptcy. He will not have to worry about a lifetime cap on medical care in case of a very serious illness. In fact, with passage of health care reform, never again will American families face bankruptcy because of unexpected health care costs, as they

will not have to pay more than \$10,000 a year for out-of-pocket health care costs.

And this bill will give peace of mind to small businesses. Small businesses and their workers are particularly impacted by the high cost of health care in this country. They account for the largest share of the uninsured. Small businesses pay higher rates today because they do not have the advantage of large numbers of employees over which to spread insurance risk.

Even if a small employer currently has healthy workers, the small business faces the prospect of dramatically increased future premiums if any employee actually needs to use the coverage, such as one small company in my district, an insurance company with five workers. One worker had a baby that was premature, causing very, very expensive care. The next year, the insurance company drastically raised their rates, and now the business has to make a decision about whether to continue covering its employees. But this bill will allow small businesses to afford health care coverage and reduce health care costs through tax credits that are available to the smallest of employers.

It is clear that the status quo is unacceptable. If we do nothing, health care costs will continue to rise, quality of care will deteriorate, and every American will risk losing their health care. The growing cost of health care is one of the biggest drains on our economy. If we are to bring our Nation back to fiscal health, we must have real, fundamental health care reform.

□ 1815

This bill is good for my district, and it's good for California, where hospitals are overwhelmed with uninsured patients, where thousands are without jobs and without insurance and where the State doesn't have the financial resources to pick up the slack. Not in six decades have we been this close to achieving this most crucial task of reforming our health care system. Let me be clear, we would be derelict in our duty to the American people if we let this opportunity go to waste.

Ms. WATSON. Congresswoman CHU, do you find in your districts the demographics that have changed in the last few years, that people in your district are going into the health care system more acutely ill?

Ms. CHU. Yes. They wait until the last minute, such as the person I talked about, Patricia, who was age 64 and had insurance. But during this 10-year period between the time she retired at age 55 and age 65, where she would have qualified for Medicare, she had no alternative. She had kidney failure, but she waited until the last minute, and she was almost dying before she got care. This is a situation that people in California are faced with in California every day.

Ms. WATSON. You know, California being the largest State in the Union

and being the first State to become a majority of minorities, people come over the Pacific as well as over the border. Many people think that many of our immigrants come from over the border. But those who come from across the Pacific have many different ways of receiving health care, more traditional and so on. So they try to treat at home. Then when they come into the system, they are more acutely ill. So I have been concerned about the formulary and having brand names on the formulary to treat these odd kinds of conditions, rather than always pushing generics.

So I understand that the bill that will come in front of us very soon will allow for not only generics but these brands to be prescribed by their physicians. I know that in my district, the 33rd Congressional District in Los Angeles—I include Hollywood, Hollywood Hills and so on—there was a young man at an event taking pictures, and when I finished explaining the bill, H.R. 3200 at that time, he sat down beside me, and he said, Thank goodness the government is looking at health care reform because I require a medication—and get this—that costs \$74,000 a month. I thought I didn't hear him correctly. I said, Are you talking about \$74,000? He said, Yes. I said, Well, what is this condition? He said, I have a condition that I was born with that starts the skeletal system, the muscular system and vital organs to deteriorate. My copayment is over \$696 a month. Thank goodness for the government helping me live.

Helping people live is so important, and I know that you have heard from people in your district, much like the ones I have described.

Ms. CHU. Yes, I have heard many stories like that. In fact, I had a town hall for people who just spoke Spanish. I had a town hall for people who just spoke Chinese. I will never forget one woman who was speaking Spanish, talking about the fact that she was covered but that her son, age 21, was not covered and, in fact, when she tried to get coverage for him, he was denied because of a preexisting condition. So they were forced to go down to Tijuana every month to just buy medication out of pocket.

But with this health care bill, insurance companies can cover children of parents up until the age of their 27th birthday. So young adults like that will be covered with this health care reform bill.

Ms. WATSON. Isn't that wonderful. I have not been able to understand, you know, during the month of August why there was so much ranting over health care. It appeared to me that some mean-spirited persons went out and gathered people up, misinformed them and told them government is trying to take something away from them. What we're trying to do is to give something. I understand one of our own Members has asked for people to come from across the country tomorrow to confront us in the halls and say, Don't

take away my health care. My response would be, We want to guarantee you health care at very little cost, at high quality.

I think it's foolish. You know, why the ranting and not the reasoning? As you know, our President has said not a penny over \$1 trillion. In fact, not a penny over \$900 billion. We are reinventing, innovating the system so that we can guarantee Americans the best, the most affordable, the most accessible quality.

Ms. CHU. Absolutely. My town halls actually showed the opposite of what some might think. It showed people who were very sincerely concerned about their futures, who wanted to have that security and stability and peace of mind and who very much needed this alternative.

But you raise a very good point. Not only will this do so much good for the people of America; it is also fiscally responsible. The Congressional Budget Office has actually said that this will actually reduce the budget deficit over the next 20 years.

Ms. WATSON. JUDY, you bring so much credibility because you were a statewide officer in California, and you dealt with a lot of these fiscal issues. So we're very pleased to have you here. I represent Hollywood, and anything can happen there. We had a rally out in front of the Catholic church on Sunset Boulevard, Blessed Sacrament. Right behind the church was Selma Avenue School, the last school I taught in. We had the Catholic priest who was emceeding; we had a rabbi, female; we had a Muslim priest—Muslim minister; and we had Protestant ministers there; and they were testifying.

One gentleman came up—he had a heavy accent. He said, I am an American citizen. I have worked four jobs. My 2-year-old daughter got sick. I did not make enough money to pay for insurance coverage. My daughter died. There wasn't a dry eye because everyone in the audience could put themselves in that position. There was a real tall gentleman off to my left. He had a placard that he kept pushing up, and it had the face of our President, Barack Obama, with a Hitler kind of moustache. So disrespectful. So when I got to the mic—you know, I'm Catholic. I made the sign of the cross. I spoke to him in Latin and pax Domini. He put that sign down, and a woman in front of him kind of hid it. I found out he was an actor, and someone paid him to come.

I would like to kind of give the viewing public some idea of how the health reform bill will impact on my district. Forty-eight percent of the district has employer-based coverage. These constituents can keep their own insurance if they like. In my public forum, I had the audience raise their hands if they were insured, and most hands went up. How many of you like your insurance? Most of the hands went down. So I said, If you like it, you keep it. If you don't, you have a marketplace to choose the plan that best fits your family's needs.

So the bill that will be in front of us in a few days improves employer-based coverage for over 304,000 residents in the 33rd Congressional District of California. That's Los Angeles, Culver City and Hollywood. It provides credits towards insurance costs for up to 173,000 households. There are 22,200 individuals who have preexisting medical conditions that could prevent them from obtaining health insurance. The bill ensures that they will be able to obtain insurance, where they have been denied in the past. It will improve Medicare for 75,000 beneficiaries, including closing the prescription drug doughnut hole for 6,100 seniors.

It provides a tax credit for 15,100 small businesses in my district that have 25 employees or less and pay an average wage of less than \$40,000. It allows 16,300 small businesses to obtain affordable health care coverage by joining the exchange. It provides coverage to 138,000 uninsured individuals, and that includes 30 percent of the district's residents below the age of 65. It protects 1,100 vulnerable families from bankruptcy due to unaffordable health care costs. It reduces the cost of uncompensated care for hospitals and health care providers by \$29 million. That is the direct impact on my district.

In the State of California, more than 20 percent of the population is uninsured. Workers at private sector businesses of all sizes are experiencing an increased likelihood of being uninsured, although it is most pronounced in businesses with fewer than 10 employees. More than a third of the uninsured have family incomes of more than \$50,000 per year. Of families with incomes between \$25,000 and \$50,000 in the State of California, 27 percent are uninsured. Seventy percent of uninsured children are in families where the head of the household has a year-round full-time job.

Mr. Speaker, we are so pleased that this House can come up with a piece of legislation that will guarantee our children, our working-class families, and our seniors full coverage so families won't have to go bankrupt because they had preexisting conditions, and the poorer the family, the less health care they have had because they simply can't afford it.

So, Mr. Speaker, it's incumbent on us—it should be bipartisan because I don't understand why people would rant and rave over providing all Americans with affordable health insurance.

□ 1830

If we are going to be the strongest country on the globe, then we need to ensure that we have a healthy population. If we choose to go thousands of miles away and fight unnecessary wars, and we want victory, then we have to be sure our military is healthy. We have to be sure that our families can sustain themselves while their loved ones are over fighting for this country. If we want to ensure a victory, then

let's provide the infrastructure on our land that will help Americans be the strongest people on Earth.

It is an embarrassment, and right now the Inter-Parliamentary Union is meeting here in the Capitol Visitor Center. When we went over a few months ago to join them, they said, Why is America not at the table with us? We were embarrassed to say that we're caught up in a health care debate whether to give health insurance to all Americans. How can we pride ourselves of being the strongest leader, and we cannot even provide health care in an affordable fashion to our citizens?

I want everyone to hear this. A robust option, a robust health option, says that you can make a choice. You can look at a marketplace of plans that will address your family's needs. You can buy into that plan. It also says that seniors, when they get to that doughnut hole, when they have spent 24 or \$2,500, they are not going to fall into that hole where they have to make decisions whether to pay their rent, pay their house note, their car note or buy food, because this bill will help you lift that burden. We are going to pull people out of the doughnut hole.

We are going to say to you, if you lose your job, your coverage will continue. We want to say to you Americans, if you fall ill, you don't have to be bankrupt. We want to say to America that we care about your health. We are willing to put our policies on the line for you.

Do not be confused, and do not let the opposition misstate the benefits. You will receive more health benefits under this plan. Just know, we are providing for you the best health care insurance, and we are keeping it within the budget that our President has set.

I do hope that if you come here to the Capitol, or you go to the offices of your Representative, or if you write them, e-mail them or call them, encourage them to vote for a policy that will insure all Americans. We want to be sure we are the strongest, the healthiest and the happiest nation in the world.

Mr. Speaker, I yield back the balance of my time.

#### MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following titles:

H.R. 3548. An act to amend the Supplemental Appropriations Act, 2008 to provide for the temporary availability of certain additional emergency unemployment compensation, and for other purposes.

#### HEALTH CARE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Missouri (Mr. AKIN) is recognized for 60

minutes as the designee of the minority leader.

Mr. AKIN. Thank you, Mr. Speaker.

It's a pleasure to be able to once again join my colleagues and others who might be interested in listening in to our discussion on this compelling subject of health care, which has absorbed the attention of people political and the people who work down here at the Capitol, for these many months. We are on the verge of perhaps taking a landmark kind of vote as to the direction that we are going to go in health care.

I was preceded by one of my colleagues, an esteemed colleague, who was asking the question, Why would we do something that would keep us from being a prosperous and happy and a nation reflecting leadership in the world?

The reason that America has been in the past prosperous and happy and has enjoyed world leadership is not because we have rushed headlong into European socialism but because, instead, we have adopted the path of freedom. Freedom has its drawbacks. One of the drawbacks of freedom is that people can fail and that there are responsibilities required of citizens.

When a government tries to insure everybody about everything that can go wrong, unfortunately, it's trying to repeal the basic laws of supply and demand; and we are no more effective in doing that or has any government in history been effective in doing that than repealing the law of gravity.

I was aware that there was an attempt one time—I was told it was in the State of Tennessee—where the teachers unions were frustrated at trying to teach students about pi, that little funny-looking thing with the number 3.1415 after it. They decided that it would be easier in terms of teaching to change pi from 3.1415, to just make it 3, to keep it simpler.

I'm not sure how the wagon wheels in Tennessee went after that legislative change was made. I imagine that mathematics continued to operate under the same set of laws in spite of what the legislature said. Now there are many things that Americans agree to on the subject of health care. It doesn't have to be particularly complicated.

One of the big problems is covering preexisting conditions. This is something that happens when people could be quite responsible, work hard at a job; but all of a sudden after a number of years, something comes up, either a child, a wife or a husband, someone in the family develops a medical condition which you didn't see coming, which is going to break the back financially of the house, and something which occurs in America too frequently. We must deal with that question. I think Americans agree that we need to deal with it.

Stopping the cost shifting and reforming medical liability law. The cost shifting, if you take a look at the problems in American health care today, you could think of American health

care in a sense in two halves. The first half is the front half. That's the provider system. It's the doctors, the nurses, the hospitals, the many staff people and the fancy equipment that continues to provide Americans with the very best health care in the world. If you don't believe that, in spite of people complaining about American health care and talking about all these problems, if you are a multimillion-dollar sheikh from Bahrain or whatever and you are sick, guess where it is that you want to come get your health care? Yes, you've got it right—good old America. People vote with their feet and come to our country. That's the provider system.

The back half of that system is how do you pay for it, and that is the part of the system that is feeling increasing stress. If there is something broken, certainly the back half is the place where there are the most problems. From a macro level, if you take a look and say, well, what really is the problem? The problem is pretty simple; that is, two-thirds of Americans are paying for the system and one-third is not. As the people that are not paying anything for health care increase in number, it puts more pressure on the people that do pay, and that is creating a lot of cost-shifting and problems.

So one of the things we've got to do is stop the cost-shifting, and one of the ways that you can reduce the cost of health care in America is reforming medical liability law. Unfortunately, the bill that's being considered by the Democrat Congress, the Pelosi bill, goes exactly in reverse in liability and says that States that have already on a State-to-State basis passed medical liability reform are not going to be able to have those laws take place. We are going supercede the law of a whole series of States in order to raise the price of health care. This bill is going in the wrong direction if we are trying to save money. More on that later.

Making people sure that they can keep the insurance coverage that they like. Today, there are about 100 million Americans who have insurance coverage. They have relations with doctors, they are reasonably comfortable that they are getting good medical care, and they really don't want to change that. They don't want us, because there may be some problems in the system, to, in a sense, burn down the barn in order to kill a few rats, or, as another person has phrased it, to say, When you've got a leaky sink, you don't remodel your entire kitchen. Many people who have insurance coverage that they like are going to be affected by a plan that's thousands of pages long, trillions of dollars in expense, and essentially tries to remodel an entire kitchen or, if you will, burns down the barn.

And then preserving the doctor-patient relationship. If there's anything that I think is more personal or more important in the health care debate and discussion, it is this very question.

I don't think anybody wants to be sick, but when they do get sick, they try to find a doctor that they trust.

Maybe, after getting a couple of opinions, they decide on some course of action, they and the doctor; the patient and the doctor decide on what is best for their health care. And whenever something gets in the way of that decision-making, it tends to be, by definition, a very bad outcome.

We want to preserve the doctor-patient relationship. There are several things that get in the way of that relationship. One that has been too common would be the fact that some insurance companies will try to second-guess the doctor, claim that they have some medical expertise, that the doctor is being too cautious, that we don't really need to spend this money. Insurance companies do that sometimes. We have found that in the Pelosi bill, there is even a section which preserves, under ERISA, the insurance company's right to second-guess the doctor-patient relationship and then, if something goes wrong, to avoid any financial or legal responsibility for that decision.

There was a press conference earlier today on that very same subject, pointing out the exact pages in the bill and how this section, which is pretty onerous, the fact that a patient can make a decision with a doctor and be second-guessed by an insurance company and when the decision goes wrong, the insurance company skates without any liability. That's part of the Pelosi bill. We don't want insurance companies coming between a patient and a doctor. That press conference was led by Congressman JOHN SHADEGG, who did a very good job and has raised some very serious questions in this regard.

There is something worse, believe it or not, than an insurance company coming between a doctor and a patient, and that is a Federal bureaucrat coming between a doctor and a patient. If the Federal Government decides, just like the auto industry, the insurance industry, the banking industry, the student loan industry and all these other places that it wants to get into the medical business, which the Pelosi bill puts them in that business, then in order to control costs, what's going to happen is you are going to end up with bureaucrats with nice big calculators and they'll figure out whether or not you qualify to get medical care.

Now we need to make a distinction between two very important things. The first thing is medical insurance; the other is medical care. In foreign countries, all of the citizens have medical insurance. That's wonderful. But if the medical insurance doesn't result in medical care, it doesn't do you much good. One of the things that happens in foreign governments, the whole idea of a government-run medical care, they can't provide Cadillac kind of medical care for everybody in their country because they can't break the laws of supply and demand. And so how do they

control costs? Well, they control costs with these bureaucrats with their calculators.

If you're a certain age, and you want to get this particular test, "Sorry, Bub, here's some aspirin. Go home and sleep it off." Now that's called rationing. If you are a more political government and you don't want to get your citizens quite as mad at you, instead of just telling somebody to go home and die, what you can do is you create these waiting lists; so you can say to some woman who's pregnant, You can have your C-section in 14 months. She might start scratching her head saying, I don't think you're doing me any favors with that. But we also see that in the socialized medicines of other countries, these long waiting lists.

The result of that, of course, is that in certain kinds of illnesses, the waiting list is very dangerous. Certainly in heart disease, which is a leading cause of death in America, if you have a long waiting period, that's not a good thing.

□ 1845

Likewise, in cancer, cancer is something that you want to catch early. If you do, you can have some very good outcomes. If you don't, the outcomes are far more gloomy. And so timeliness is very important. And when you are trying to keep your costs low, with the government trying to manage their budget, what they are going to do is create waiting lists which then have bad outcomes. And that is what the record shows of survival rates in cancer, for instance, in the U.K., which is a socialized system as opposed to a more free enterprise system in America.

Now these are things that Americans agree to. The question is what is being proposed, will it help these things and what is the cost?

In fact, when we take a look at the issue in most any department of the Federal Government, when the government does something, or particularly if it does too much, we see some outcomes that are pretty common, regardless of what area of government that it is. We see bureaucratic rationing, which I was just talking about, inefficient allocation of resources, degraded quality, and excessive expense. All of these things come when the government does too much.

Well, would the government takeover be something that would qualify as the government doing too much? I think the old adage that "if you think health care is expensive now, just wait until it is free" might apply here.

Is the government doing too much with the Pelosi health care proposal? The first thing to understand, and this is actually a chart that was drawn up on the earlier Pelosi bill, which I believe was only about a thousand pages, the new version of this plan, which is very similar, is 2,000 pages. So this chart may not be completely accurate. In fact, it may be too simplified.

What you have here, every one of these colored boxes is some new bu-

reaucracy, some new moving part that is created by the Pelosi health care proposal. You can see, trying to take a thousand-page bill and putting it on a chart, it is going to look a little complicated. But if you think about it, we are going to be taking one-sixth of the U.S. economy and then we are going to turn that over to the Federal Government to run with this proposal.

So you have the consumers. It is almost like a maze. Can the consumers get over to the doctors, or not?

So one of the things that you run into when the government does this is tremendous complexity. That is why when the President last July came here to the Congress and said we need to get this done, none of the other Presidents before me could get it done, but I am determined to get it done, so you need to put a bill together and I would like to have it done before the end of July, he was asking for a pretty tall order. In fact, he was asking for the impossible because trying to put this together, even if you buy the assumption that the government should take over health care, is not a simple procedure. This gives just a little bit of the sense of how complicated that is.

Now one of the other things that you have to associate with a high level of complexity is also a high level of cost. We have a number of statements that were made by the President, and certainly he has the bully pulpit. Everyone listens when he speaks, and he makes a number of different statements which I would take a look at those and see how really accurate are they.

This is one of his statements before the Joint Session of Congress that was on August 9 before the summer break. "Most of this plan can be paid for by finding savings within the existing health care system, a system that is currently full of waste and abuse."

This sounds pretty good on the surface. We can simply take the health care system that we have, and there are pockets of waste and abuse, we tap into that like unused oil, and we can all of a sudden come up with something that the Federal Government runs which is going to be less expensive because we can pay for this government-run system by using waste and abuse. It is almost as though waste and abuse are a line item in the budget and we simply pull money out of the waste and abuse account and we stick it into health care, and we have everything taken care of financially.

Unfortunately, the government running various entities does produce a tremendous amount of waste and abuse, but it is not so easy to squeeze that fat out of the system. It is not a simple line item. The place where he is looking for this waste and abuse turns out to be an area that is politically highly controversial, particularly taking it out of Medicare.

Let's take a look at this efficiency that he is talking about that he can create by having the government take

the system over. We do have some experience. We have experience of two other government, Big Government entitlement programs in the area of medicine. One is known as Medicaid; the other, of course, is Medicare. The other big entitlement is Social Security.

If we look at Medicare and Medicaid, if we look at the history of those two government-run medical systems, what we find is when the Congressional Budget Office scored those bills when they were passed by Congress some many years ago, it was found that their estimates were extremely optimistic and very low. In fact, in the case of one of them, the estimates were more than four times too low and the other one, as I recall, even many times more than that. So we are not saying a couple of percentages off, not 10, 20, 30 percent off, we are talking about 4, 5, 600 percent, that these things were estimated to be lower in cost than they were going to be. And worst, what we see with this chart, we see that the cost of these programs is rapidly expanding. In fact, they are expanding so fast that people, both conservative and liberal alike, will say that these three entitlements will destroy the financial solvency of the United States in a period of time. This chart shows that being somewhere in the 2052 range.

Why would that be? Well, part of it is that the actual revenues that the Federal Government takes in are to a degree limited. That seems like an odd thing to say because you think, can't we always crank up the taxes? If 24 percent, or 28 or 18 percent tax rate isn't enough, let's kick it up to 50 percent. The problem is that the mechanisms that the Federal Government has to try to increase taxes, what happens is they can increase the tax but the government revenues don't go up. Now that might seem like a really odd thing. Let me stop and explain what I am talking about.

You would say if you raised taxes, you are going to get more money. So aren't you saying that water is running uphill or something to say that raising taxes doesn't generate more money? Well, in fact it does not at a certain point.

Let's use the illustration that you are king for a day. Your job is to put some taxes onto a loaf of bread and you think about Americans buying loaves of bread. You think, well, I can raise a certain amount of tax if I just put 1 penny on a loaf of bread. But then you think to yourself, or I can raise a whole lot more if I put \$100 on a loaf. But nobody would buy a \$100 loaf of bread. So common sense tells you somewhere between a penny and a hundred dollars, there is some optimum point where people will still be buying a lot of bread, but if you raise the tax more, no one will buy bread any more. So there is this sort of optimum taxation.

What this chart in actual Federal revenue shows is what that point is. So what happens is you can raise taxes

above it, but what you do is stall the economy. Therefore, even though you have a high tax rate, you end up getting less money in the government.

Just to give you an example of how that principle worked, when I was first elected in Congress in 2001 and 2002, we were in a recession. If you took a look at the Federal budget, there were a lot of liberals and Democrats complaining about the large tax cut that President Bush and the Republicans passed. They said, that is costing us billions of dollars. Actually, we were following President Kennedy's model, Ronald Reagan's model, and Bush II followed that same pattern, realizing that if you reduce the taxes, you can actually increase the Federal revenues because the economy pulls out of a recession and gets going.

But if you were to add the supposed cost of those tax cuts to the cost of the war in Iraq and Afghanistan, add that all together, it was less money than the cost of the recession. So when the economy gets flat, it not only hammers mom and dad back home, it hammers the States terribly because many of them are balanced budget, and it also affects the budget of the Federal Government.

So as these programs grow out of control, what is going to happen is there is going to come a real financial breaking point.

So we are told that the government taking over all of health care is not going to follow this pattern, this is the government taking over some of health care, but in fact if we take over all of it, my goodness, we are going to have all kinds of savings. Well, if you believe that, I think there are some people that sell swampland in New Jersey.

So this is the track record of government control of health care. Now that is not the only example. There are other examples such as Massachusetts and Tennessee, and they have tried this government takeover and the government providing insurance for health care, and it hasn't worked for them and it has raised their cost of medicine in those States to the point that it has threatened the provision of good medical services.

So you have in response to the Pelosi health care bill, the Democrat Governor of Tennessee calling it "the monster of all unfunded mandates." So in order to keep the cost of the Pelosi plan under \$1 trillion, guess what, they are cost shifting costs to the States and even the Democrat Governor of Tennessee, who has had experience with this type of program, is saying that this is the monster of unfunded mandates. In other words, the Federal Government makes the State do something which is going to cost the State a whole lot of money.

Let's go on here. This is a statement by our President. "Here is what you need to know. First, I won't sign a plan that adds one dime to our deficits, either now or into the future, period."

Boy, do I feel better when I read that. The President is telling me he is not

going to sign a bill that adds one dime to our deficits, either now or into the future, period.

This is one of those things you better make sure that you know what "is" is and what is this really saying because in a technical sense he can make the statement that he is not going to add one dime because it appears that he is going to add over a trillion dollars, and even that doesn't show the accurate cost. So let's be careful when we take this statement. Does he really mean that this is something that is going to be financially solvent and is going to really work well? Or is he just being a little bit cute and saying he isn't going to add a dime, no, he is going to add a trillion dollars.

Well, it turns out that the Pelosi health care plan is going to cost over a trillion dollars.

Well, we have taken a look at how serious is the President since the beginning of the year. How serious is he in worrying about excessive spending in the Federal Government. Well, certainly President Bush was accused for overspending. But it turns out he was merely a piker because this year isn't even over yet, and the total spending from the Obama administration and the Pelosi administration is \$3.6 trillion. Now, the worst year that President Bush had was when the Democrats controlled Congress, and it was about somewhere in that \$400-plus billion of deficit. And here we have \$3.6 trillion in less than a year.

So when he says he is not going to add a dime, we have to say, wait a minute, I am not sure that passes the sniff test. Here we have the Wall Street bailout, half of that was under this administration. That is \$350 billion. Then we have the so-called economic stimulus, I call it "porkulus," it didn't have much stimulus in it at all. That is why unemployment is high.

We were promised if we didn't pass stimulus, why unemployment would get as high as 8 percent. We passed it, and it is 9.7 percent and rising. That was \$787 billion. That is a chunk of change, it really is. In fact, as we went through the year, we had already spent all of the money that the Federal Government was going to collect this year by March or April, as I recall.

SCHIP, another \$66 billion. And here are these appropriations at 410, and then we have these other tax bills that are coming along trying to compensate for this incredible \$3.6 trillion level of spending.

So when the President says I am not going to sign a bill that adds one dime, we say maybe not a dime, but you are talking over a trillion dollars and that is not even talking about what is being shifted to the States.

I would like to take a look at some of the other comments that have been made because I think trying to get a little bit of truth into this debate and kind of balance things out, it is very helpful tonight.

This is a very nice promise. I really like this promise. First, and this is the

President again, "First, if you are among the hundreds of millions of Americans who already have health insurance through your job, Medicare, Medicaid, or the VA, nothing in this plan will require you or your employer to change the coverage or the doctor you have."

Whew. That is good news. Do you know there are a hundred million people in America who have health insurance. They have doctors, and they are very pleased with their health care and they are not so sure that they want the Federal Government to come in and stir it all up and change it.

□ 1900

So if we can assure those hundred million Americans that already have insurance that they like that everything is going to be okay, then the idea would be let's just try and fix the—however many, people argue about it—10 to 20 million who do not have insurance that could have insurance that don't, well, then that would be okay.

Well, the question is is this true. We heard the last one the President said, that he's not going to add one dime. Now he's saying that you can keep what you've got. Well, that's a great promise. I wish that one were true because I think that's really nice, a lot of people would like to keep what they have.

Here is an MIT health economist, Jon Gruber. He said, in reference to this claim, With or without reform, that won't be true, said Gruber. His point is—that is, the President's point is—that the government is not going to force you to give up what you have, but that's not to say other circumstances won't make that happen. In other words, what's being said here is, yeah, the plan doesn't specifically say you can't have your current insurance and your current doctor, but it does say that all of these insurance plans have to be just like the Federal Government's insurance plan at some time in the future. And that being the case, the insurance company is going to change the plan that you have or go out of business, or quit offering it, or whatever a whole series of alternatives might be. Therefore, this statement is not true either.

In fact, what's going to happen is, just as we've talked about, this is the government takeover, either slowly or rapidly, of one-sixth of the U.S. economy. And so the idea that you can keep what you have and everything is going to stay the same, you could say that, and maybe it will stay the same—for today and tomorrow and next week and next month, but next year, maybe not; 2 years from now, certainly not; 4 years, very, very different. So, yes, can you keep what you've got and enjoy your insurance and your doctor? Yes. For how long? No promise on how long.

Then we have another promise here. There are those who also claim that our reform effort will insure illegal immigrants. This, too, is false. The reforms I'm proposing would not apply to



those who are here illegally. Well, I think a lot of Americans should think, my golly, you're going to spend another \$1 trillion charging all kinds of Americans a lot more money to have this government-run health care plan, and they're thinking to themselves, I'm not sure I can afford to pay for people who come here illegally over the border to try to get free health care off the back of the American workers.

So there is a legitimate concern, and of course that's already happening around some of our borders. It's very hard to get into emergency rooms in many hospitals because people come here from other countries and just walk straight to the emergency room and get care. And of course all that cost is being shifted to other hardworking Americans.

And so, this is a good promise that the President made. I wish this one were true, too. This would be really good if this were true; like the other ones, it would be nice if they were true.

There are also those who claim that the government will insure illegal immigrants. Well, okay. So what's the truth here? Well, one of the ways to check on whether that's true, we have an organization here in the Congress called the Congressional Research Service. They're a bunch of people who are experts at researching things. They're expert at law. And they're not Republican. They're not Democrat. They're not particularly biased. Their job is just to say just the facts, ma'am, just the facts. Here's what they said about this statement. This is the Pelosi health care bill before it was beefed up by another thousand pages, but the section that's in the bill is the same, relatively speaking, in dealing with this problem.

This 3200 health insurance exchange would begin operation in 2013 and would offer private plans alongside a public option. H.R. 3200 does not contain any restrictions on noncitizens, whether legally or illegally present, or in the United States temporarily or permanently, participating in the exchange. So what this is saying is, well, you know, the President can say the illegals won't get the service, but the fact of the matter is the way the bill is written, people who are here illegally can sign up and get the service on the backs of the hardworking American taxpayers. And so what the President said again is not true.

Now, there are other ways to try to tell whether something is true other than just something like the Congressional Research Service. One of those means of telling if something is true or not is to offer amendments. Now, because of the great transparency that we've been promised, there will not be any amendments here on the floor; if there are, it's going to be one or two.

Members who are concerned about, for instance, illegals, making sure that they have to prove their citizenship before they sign up for free health care, people who are concerned about that

might offer an amendment. The amendment might say, hey, before you get into this exchange and get this insurance, here's the deal. What you have to do is you have to prove your citizenship. And so an amendment such as that was offered in committee. It can't be offered on the floor because of our procedure. The Democrat Party does not want to have a lot of those amendments on the floor. And especially with a 2,000-page bill, it's true, we would be here a long time.

Some of those amendments are kind of important, but they don't want to take those votes. But those votes occur—although the public doesn't see them as much—in committees. That amendment to make sure that illegals didn't get health care was taken in committee. The vote was just about a straight party line—Republicans for it, Democrats against it. And so, with that amendment failing the way it did, it doesn't give people any comfort that what the President has promised is true, or that perhaps it almost seems as though it is disingenuous.

A similar criticism and complaint—there's a lot to talk about in a 2,000-page bill, my goodness. This is another statement that was made by our President, and it is, he says, a misunderstanding. "And one more misunderstanding I want to clear up—under our plan, no Federal dollars will be used to fund abortions, and Federal conscience laws will remain in place."

Well, this is a pretty controversial question. Most people know that America is deeply divided on the abortion issue. There are many good-meaning Americans who believe that abortion is the killing of an innocent child. And there are good-meaning Americans, I suppose, who think that abortion is a choice question and a mother should be able to kill her child. Well, people are going to disagree on that. But this is, in a way, a different question.

And it's interesting that the people who want to have abortion rights say that people should have choice, and yet in this particular question there is no question of choice at all, because when it comes to paying your taxes, you don't have any choice. The tax man comes to your door. If you don't pay your taxes, you go to the free hotel. And so paying taxes is compulsory, there is no choice involved in it. And is it reasonable—at least you have to acknowledge, or some people think it's wrong. Is it reasonable to tax them and have their money go for paying for abortion services for people all over the country? And so this is a very big ethical question. In fact, the National Right to Life and some of those groups would rate this as one of the biggest decisions on the abortion question since *Roe v. Wade* or *Doe v. Bolton*.

So these questions are something that is percolating within this overall health care bill of thousands of pages. And the President's saying, hey, don't worry about it. We're not going to use taxpayer money to fund abortions. The

only trouble is that, like the illegal immigrant question, an amendment was offered in a committee—it would never be allowed on the floor, but it was offered in committee—and that amendment said that we're not going to be using any of these Federal dollars and that we will not be funding abortions with Federal money. Again, that was close to but not entirely a party line vote. That amendment failed.

So as it fails, it leaves you with the irrevocable kind of conclusion that we're not going to have protection. In fact, the bill—or even if the bill doesn't do it, under Federal rules and regulations, you will have people getting abortions using taxpayers' money. This is something that actually quite a number of pro-life Democrats are hung up about, and there is a big argument about this subject. I've never been invited to those meetings. I'm a Republican. But it is interesting to note that again the President says one thing, and yet in fact, when you look at the committee votes and the amendments offered in committee, this is not true.

One of the things that's interesting to look at, you can look at health care from so many different angles. One of the angles that's interesting is what is it that women want, because it turns out in families, many times women are the ones that are involved in the details of the family health insurance, making health insurance decisions for families. And here is a survey that's just been conducted October 19–25, 2009. So this is a very, very recent survey, independent women for a nationwide survey. So they were polling people from all over this country.

Let's see, what did the survey say? Well, first of all, 64 percent of American women would rather have private health insurance than a government-run health insurance plan. You know, it's interesting. In the political world, you can ask questions in several different ways. One thing you could say is, "Would you like the government to buy you a house?" And you think, hey, that sounds pretty good. The government would buy me a house, really? "Hey, Congressman AKIN, I would really like it if the government bought me a house." So if you said, "Would you like the government to buy you a house?" probably a lot of people would say, "Well, yeah." You could ask the same question a different way, "Would you like to live in government housing?" I don't think you would find as many people that want to live in government housing. Well, this is a situation here like that.

They're saying 64 percent of American women, that they would rather have this private health insurance than a government-run health insurance plan. And that's actually kind of common sense, because, for one thing, if you like the idea of having some flexibility and choices, if you don't like your private health insurance, guess what you can do? You can go try and find somebody else. What happens if

your only choice is a government-run plan? Well, that's just like Henry Ford. You can have any color car you want as long as it's black. And the nations that have health plans that are run by the government, when you get some sour and unresponsive and underproductive Federal employee running a hospital and the hospital care is terrible, what are your alternatives? Are you going to call your Congressman and say, hey, they haven't mopped the floor and changed the sheets in X, Y, Z hospital? How much good is that going to do you? So these women here, they weren't born just yesterday. They would rather have private health insurance than government.

Sixty-six percent of them described their insurance as excellent or good. So you have a great number of Americans, that's that 100 million, or at least a good number of them, that are saying their current health insurance is excellent or good. What that means is that, as I was saying as we started our discussion on health care, that that provider network is, in America, still pretty good. You don't find so many Americans going to Canada for health care or to Mexico for health care, but you do find a fairer number of Canadians coming to America for health care or Mexicans coming to America for health care. So it's not surprising that we find two-thirds of these women saying that they think their health care is excellent or good.

Seventy-four percent of them describe their health care as excellent or good. Let's see now, what's the difference here? Health insurance. Oh, health care. This is health insurance; this is their health care. So while they weren't quite as crazy about their insurance, they said their health care, 74 percent of them—again, this is the case of the old sheikh that's sick. He wants to come to the USA to get his health care. These women are saying the same thing. Seventy-four percent of them said that actually their care is excellent or good. It doesn't make too much difference what you think of your health insurance in a way if you're getting good care.

On the other hand, you can have wonderful health insurance, but if you don't get any medical care, it's like paper Monopoly money. It doesn't do you any good.

Then here is 75 percent want few to no changes made to their own health care. So this, again, is where a lot of people are. They would like to keep what they have, they're comfortable with what they have, and they don't want us to remodel the kitchen when the drain in the sink is stopped up. They just want to fix the plumbing, but they don't want to remodel the entire kitchen. That makes a whole lot of sense. And actually, from a legislator's point of view, it also makes a lot of sense.

What you're seeing going on politically right now is an attempt to move a bill, to nationalize one-sixth of the

U.S. economy. That is a very ambitious project. While I think the Democrats are wrong in trying to do that, I will take my hat off to them at least in the fact that they're doing something that is incredibly ambitious and probably more than what the legislative process can handle in a short period of time.

So part of the problem is is that you just have a whole lot of people that like things the way they are, and so trying to change that for everybody is particularly difficult. And this is kind of a women's perspective on what they're seeing and what's going on.

□ 1915

Now, there are a lot of other perspectives on this bill, and that's part of the problem that this bill has, which is that a lot of people don't like it.

One of the groups of people that really doesn't like it is seniors. Seniors have gotten used to and are dependent on Medicare. Of course, Medicare costs are going up a lot, but they don't like the fact that a lot of this bill is going to be paid for through cuts in Medicare. That's something that tends to antagonize older voters, and many of them are very consistent voters. So this is a group of people that doesn't like it.

Another group of people which particularly does not like this government takeover is going to be that of the people who run small businesses or who own small businesses, because what this bill is going to say is: You must insure all of your employees, and you've got to do it in this, that or the other way. Therefore, it's going to raise a whole lot of costs for your employees if the government is going to be taking over health care and is going to be demanding these things of small business.

The result is that what we've been doing to the small businessman is hammering him just like a giant sledgehammer in some kind of circus tent. We're hammering him down into the dirt. First of all, we're going to let the dividend capital gains tax cuts expire, so he's going to get a tax increase from that. Next, we passed a bill here in the House, which is called cap-and-trade, or cap-and-tax, which is the biggest tax increase in the history of the country supposedly to take care of the dangerous gas CO<sub>2</sub> and global warming. That has a very huge tax increase. That is going to also raise the energy costs to small business.

So now they're not only getting the tax increase of the expired capital gains dividends, which is the money they use to invest in new plants and equipment, but also they're going to get hit with an energy tax. Now, on top of that, we're going to try to balance the books of this health care plan on the backs of the small businessman.

The trouble with doing that—and this was tried by FDR in the Great Depression—is that you can drive the small businessman so far into the dirt that you make him close his business

down, and that has some effect on employment. In fact, small businesses in America employ—if you call “small business” 500 or fewer employees, 80 percent or 79 percent of Americans work for these smaller sized companies. So, if you hammer them into the dirt in terms of taxing and taxing and taxing, what is going to happen is you're going to have increased unemployment. It's not a big surprise to see what we've got going.

Hey, we're joined here in the Chamber by a good friend of mine. There is so much going on in health care, I would just encourage you to join in like it's a dinner conversation, my friend, and just share what you're thinking. We're even talking about a vote here within some days.

Mr. LATTA. I thank the gentleman for yielding, and I appreciate your hosting this very special Special Order this evening.

Where I come from in Ohio, we are very, very hard hit. Our unemployment rate is one of the highest in the State in our district. I represent the largest manufacturing district in Ohio. I represent the largest agricultural district in Ohio. At this time last year, we were, according to the National Manufacturers, about the ninth largest in manufacturing.

Mr. AKIN. Well, that's a very important fact. Don't go too fast. What you're saying is your district is the ninth largest manufacturing district in the country?

Mr. LATTA. We were at this time last year, but we've slipped to 15th now.

Mr. AKIN. You've slipped to 15th?

Mr. LATTA. Yes.

Mr. AKIN. So what is your take on manufacturing? Because we were told old people don't like this bill because it's cutting Medicare. Small businesses don't like it because they're getting hammered one more time into the dirt with tax increases. Let's talk about manufacturing because, in a way, that's the backbone of American industry.

Mr. LATTA. Absolutely.

Mr. AKIN. What is your take on this? How does this work?

Mr. LATTA. Well, I'll tell you. You know, when we were all home during the August work period, I went through I don't know how many different factories, and I went through lots of small businesses.

As one example in particular, I had a gentleman walk up to me. He was a factory worker. He said, You know, I'm really not sure what you all are talking about there in Washington. He says, If I can't put a roof over my family's head, if I can't put food on the table, health care is not the top issue for me.

People are all concerned about health care, but as to where it is in the priority ranking, it's at survival right now. We've got a lot of folks out there who need to survive. At the same time, you have a lot of these smaller businesses—you know, when I talk about

smaller, it could be a factory of about 150-170 which is now down to 29-35 people, and they're just hoping they can keep the lights on. When they see and hear that Washington might impose a mandate on them, especially at that 8 percent level, they say, Well, we're not going to survive.

Mr. AKIN. Let's get back and get those numbers. We were just talking about this last night.

We've got small business and even manufacturers that have been hammered so hard now that they're struggling for breath.

Mr. LATTA. Absolutely.

Mr. AKIN. We're going to nail them with another, possibly, 8 percent cost. This is 8 percent.

Also, what's going to happen to the dividends and capital gains? That's going to go up through this bill, too. So, not only do we have additional taxes on top of the other taxes, on top of the ones that are going to expire and go up—you've got all of that coming down the pike. Also, they don't see any end in sight.

So we have created an environment where there are a lot of unknowns. If you don't know what's going to happen the next month, when we get done with this tax, we're going to go to another one. What you're going to do is you're going to try and play it safe and see if you can survive. Am I on the right track?

I need to just thank you. Congressman LATTA is from Ohio, and he is really an upstanding young Member. Your opinion is very important, and Ohio is a very important State, particularly because of the manufacturing base.

Mr. LATTA. Absolutely. You hit the nail on the head.

All of these companies that are out there struggling right now look at everything. Health care is a huge issue to them. Cap-and-trade is an issue out there—the electricity costs to keep the machines running. Then we had the second highest corporate tax rate here in the United States.

If you put these all together, plus you throw in the EPA and the environmental things that have to go on at these companies, and if they're owned by a parent company that has a plant someplace else in the United States, they can say, as in our situation, Well, you know what? Your costs go up too great in Ohio. You're just going to have to move.

There are some companies out there that are multinational and they've said, You know what? We're to the point that, with any more costs, it would be cheaper for us to actually make it on the Pacific Rim and ship it here, and then we won't have to worry about all of these costs, and there's the product.

Yet, you know, health care is one of those things that everybody wants to make sure that we have; but at the same time, we've got to do it in the right manner, and that's what a lot of folks back home are very concerned

about, because I don't care if you're a senior citizen and you're on the Medicare side or if you're a businessowner. Again, these businessowners are the ones who are very frightened because they're the ones who keep people employed on Main Street.

In talking about Main Street, not too long ago, I was out on one of my Main Streets in my district. One of the businessowners asked, Bob, you know, is this thing going to pass? He said, You know what? You're looking at my business right now, and I will not be able to survive, with the numbers that I'm seeing from Washington right now, under this legislation.

Mr. AKIN. You know, a wonderful part of America are these different expressions. There is such a diversity of people in our country, and I guess that's probably why we serve here. We just love this country and love our own constituents and all.

In representing Missouri, we have some kind of rural expressions that are fun. One of them is "hunker down." Sometimes you'll hear people in Missouri say, "Hunker down." Then, if they're really serious about it, they'll add to this. "They're hunkered down like toads in a hailstorm."

It paints a picture, but that is, to a degree, the picture of the small business man and of the manufacturer in America just being hit, not with hailstones but with tax on tax on tax, and we wonder: I can't understand why there would be unemployment.

Do you see?

The thing that's tragic about this is the fact that the government has tried this before. They tried this before, and they created the Great Depression.

You had this little British economist, little Lord Keynes, running around, saying, Hey, I've got a brilliant idea. Why doesn't the government just spend tons of money, and by spending lots of money, it will get the economy going, and we will jump-start—I don't know if he used the word "jump-start." I don't know if they had car batteries back then. I guess they did. We're going to jump-start the economy by the government spending tons of money.

So FDR thought that's a pretty good idea. Plus, it's not bad politics if I can run around like Santa Claus with the paychecks, you know?

So he gets Henry Morgenthau as his Secretary of the Treasury, and they test out this nifty theory. So they go out and spend tons of money year after year after year, hoping to see unemployment come down.

At the end of, I think it was 9 years, Henry Morgenthau came to this body, to the Ways and Means Committee, and he said, Gentlemen, we've tried this idea, and it doesn't work. He says it that simply: It doesn't work. All that has happened is that unemployment is as bad or worse than it was before, and we have a whole lot of debt to boot. Those were his words.

So what we're seeing is this idea of just taxing and taxing these busi-

nesses, and unemployment is just going to kill us because they're not going to be hiring people when they're hunkered down, worrying about what the next tax is going to be or whether it's going to put them out of business. They're going to be playing things very conservatively. Plus, it's hard to get loans for them.

Mr. LATTA. If the gentleman would yield.

Mr. AKIN. I do yield to my good friend.

Mr. LATTA. You hit on a very important point right here. One of the things they're talking about right now is that we've been coming out of this recession into a jobless recovery. When you have these unemployment rates—

Mr. AKIN. Wait a minute now. I've heard this term "jobless recovery." I'd like to pick at these words a little bit. "Jobless recovery." Do you think that's the same thing as a plastic glass or a jumbo shrimp? I mean, how is it a recovery if nobody has a job? I sure hope I don't suffer too much with that kind of recovery.

Mr. LATTA. It's the way they define when you're coming out of a recession.

Back in 1982, when I look at that recession, one of the things that a lot of people point to is that it was very, very tough. We all remember coming out of the Carter administration with double-digit unemployment, with double-digit inflation and with a 21½ percent interest rate. A lot of people also said the same thing: You know what? It's tough, but at the end of the day at some point, that factory down the street is going to reopen, and I'm going to get my job back.

In this case, we've got so many companies out there, especially in my district, that are saying, You know what? We've cut as much as we possibly can. We're going to do as much as we possibly can to make sure we can just keep the doors open, and we find right now that we can survive with what we've got.

When they say "what we've got," it's the employees who are on the floor right now. They say, We're not going to hire anybody else.

That's the scary thing because now, all of a sudden, we're going to have all of these young people coming out of high school, coming out of trade schools, coming out of community college, and coming out of college. Where are they going to go? Because we've got more and more people saying, I can't retire. I've got to keep working because I'm not sure what I'm going to have down the road.

There are all of these things that, I think, have got to really be looked at. That's why, I think, the American people have said to us, especially in my district, We all agree. There's not one person in this body right here who would say we should not do something about health care in this country; but it's how we do it, how we proceed. It's slowing it down. The American people

want it to be the best thing, not something that's rushed through, not something that's in a 1,990-page bill.

Mr. AKIN. Here we go again. It's this tremendously long, complicated bill, a complicated plan, and it almost looks like just another attempt where we already determined when we started that what we really want is the government to run it all.

We've got the government firing the president of General Motors, running General Motors, running the insurance companies, running the banks, deciding what executive salaries are going to be, and that's not good enough to have the government doing that. We want the government to take over student loans, so we passed that this year, still letting private people do the student loans. There's \$1 trillion in extra spending to cover all of these student loans. Now what we want to do is take over all of health care.

I mean, this is kind of ambitious. You know, this is a little overwhelming. My constituents are a combination of scared and angry about what's going on down here. I think it's important for us to offer simple solutions, and we've got a simple solution if you want something immediately that you can do, and that is, tomorrow at noontime, Americans are coming from all over this country to meet on the steps to talk about this whole thing and to express their opinions of whether they really think that a bill that raises premiums, that reduces health choices, that delays and denies care, that costs \$500 billion in Medicare cuts and \$729 billion in new taxes is the solution that they want to this problem.

People who want to say "no"—at least I think a lot of them want to say "no." I don't know what they're going to say because they're coming here tomorrow at noontime to this Capitol to express their opinions. They were invited by a bunch of us who are just plain old Congressmen, not leadership. They were just invited. You all come. Come talk to us about what's going on here. If people kind of get upset, this is the place to express your opinion.

I would yield.

Mr. LATTA. I thank the gentleman for yielding.

Again, that's what happened during the month of August and when we were back home. We were out in our districts, and the people got to see us and talk to us face-to-face, and that's what they really want to do. They want that opportunity to say, I want a piece of my voice to be heard on this.

One of the things, I think, that has been missing in this is that I came from the Ohio legislature, and I chaired a couple of committees in the house and the senate. One of the things that, I think, is very important is that we have people come in, be able to testify and be able to face the members.

Mr. AKIN. Yes.

Mr. LATTA. I think what we ought to have been doing during this whole

period of time here is that we should have taken this back onto the road, and we should have had committee hearings across this country so that Americans could have gone to their States and to wherever it would be that the Members would be holding the hearings for the three different committees here in the House which were hearing this piece of legislation. I think that's what we should have been doing because, again, people feel left out. The most dangerous place for me to go, for my wife to send me, is to the grocery store after church.

Mr. AKIN. After church to the Rotary Club, that's dangerous?

Mr. LATTA. Well, it's the grocery store.

Mr. AKIN. Oh, the grocery store. I'm sorry.

Mr. LATTA. Because what happens is that people come up to me, and they want to talk. I go home every weekend, and I don't care if it's at the grocery store or at the gas pump. You know, it could take 45 minutes to an hour sometimes.

□ 1930

Mr. AKIN. They are saying, BOB, wait just a minute before you walk out with that loaf of bread. The loaf of bread is stale by the time you get out of the store.

Mr. LATTA. The American people want to be heard, and I think that is one of the things they are really saying here is wait a minute, I don't think we are being heard in this discussion.

Mr. AKIN. Well, a lot of us are going to go out on the steps and we are going to listen to what those people have to say. I think you committed to be going out there too and be available. And we are going to talk. There are going to be a lot of interesting people, people doing some singing and all kinds of things, people making some little short talks and discussion. And that is a healthy thing in America, to have that freedom to have free speech, to talk, and to come to the Capitol building and to let people know what you think about this.

Of course, there is a different philosophy than this kind of take everything apart and rebuild it, and that is that there are some specific things that can be done that reduce health care costs that Republicans almost uniformly support.

One of them is tort reform, limiting the punitive damages. We know that in other States where that has been tried it reduces the cost of health care. We also know in other States where the government takes over health care, that the costs go out of sight. We have seen that in Massachusetts and in Tennessee. But we have seen in my own State of Missouri and Texas and other States, there is a distinct reduction in health care costs when you limit some of those punitive damages.

It doesn't mean that doctors don't make mistakes and shouldn't be held accountable. But the other thing is you

don't rape the system and run the costs up so that every doctor is forced to practice defensive medicine.

Mr. LATTA. If the gentleman will yield, when we are talking about punitives, we are not going to say to people limit the economic damages. It is the noneconomic damages. Because it took us quite a few years in the Ohio legislature to finally get a small portion of that passed, but we saw changes almost within a year in what was happening out there.

Mr. AKIN. Did you pass one in Ohio? Did you limit the punitive damages in Ohio?

Mr. LATTA. That is one of the things we had to do on some of the noneconomic damages, and, again, it was only a small portion, because we had to pick certain areas and we picked the one area, and we watched those things come down. Because what happened was as soon as we passed the legislation, as soon as it was signed into law, it was challenged in the Ohio Supreme Court and it was upheld for being constitutional. But those are the things you have to do.

Those are the things when you are talking about doctors not having to practice that defensive medicine, instead of running four, five or six tests, maybe they only have to run the two. But they are going to run the four, five or six tests. Why? Because if it is in your neighborhood and the courts have been saying why haven't you done this, you have got a problem. That is why these doctors say I have to do it, because otherwise I am going to get sued and my malpractice insurance is going to say you didn't do what you should have done, and now you are in trouble.

Mr. AKIN. So there is the problem. That is one place that Republicans have talked about where there is a specific thing that you can do. And there are other things. We talked about the idea of letting people buy their medical insurance across State lines.

The other thing in this 2,000 pages, there are a lot of loopholes and trapdoors. One of the things that is amazing to me is they do the opposite of tort reform and they say any State that has passed any tort reform, that that gets waived in order to get this government insurance. So you are going to be taxed whether you take it or not, but if you want the benefits of your citizens being taxed, you have to basically back off from tort reform. That is kind of a weird trapdoor.

Mr. Speaker, I thank my good friend from Ohio, Congressman LATTA. It has been a treat having you here.

#### THE COST OF NOT HAVING HEALTH CARE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Florida (Mr. GRAYSON) is recognized for 60 minutes.

Mr. GRAYSON. Mr. Speaker, during the Civil War, Abraham Lincoln, our

President, often pardoned people who had been convicted of treason. You may wonder why he did that. The answer is he saw death all around him in the Civil War, and he wanted to make sure he did nothing to add to it, so he pardoned people who had been found guilty of the most grievous crime one could commit in this country simply because he loved life.

In the same way, I would like to think whether I leave here after 2 years or 20 years, that there will be no blood on my hands. That is why I am against the war in Iraq, that is why I am against the war in Afghanistan, and that is why I am so much in favor of health care reform that saves lives in America.

We had a different kind of President for 8 years recently, and we had a different kind of administration, an administration that was willing to bear any degree of suffering and pain as long as it was somebody else's. If you were homeless, it was your fault; if you were jobless, it was your fault; and if you died because you had no health insurance, that was your fault.

Now that administration is out of power. We, the American people, removed them because they abused it. But they have left behind in the House and in the Senate people who feel much the way that they did.

Recently, a Harvard study published in a peer review journal, the American Journal of Public Health, announced that 44,789 Americans die every single year because they have no health insurance.

In America today, if you find two people who are physically identical, same race, same age, same gender, same smoking habits, same weight, if you find two people who are physically identical, and one of them has insurance and the other one does not, then the one without insurance, that American who has the misfortune simply not to have health coverage, that American is 40 percent more likely to die.

This bill that we are considering now to reform health care in America would end that. It covers 96 percent of all Americans. It ends this grievous national tragedy where, day after day, week after week, month after month, 122 of us die every single day because they have no health insurance.

Now, I am sure that if we learned that al Qaeda was going to launch an attack on the United States and kill 44,789 Americans at any time next year, I am sure that we would do anything in our power to prevent that. I submit to you we should do the same about this. We should do exactly the same here, because we face the same threat. It is a less visible threat, it has gone on for generations, but it is a threat nevertheless. If you don't let people see the doctor, then a certain number of them are going to die.

To bring this point home in the face of united opposition by that side of the aisle, what we have done is something

very simple. The Urban Institute has published the number of uninsured people in each district, each congressional district in this country. The American Journal of Public Health has told us what percentage of those uninsured people will die next year because they have no health insurance. So what we have done is very simple. We have taken one number and the other number, and through the magic of multiplication, we know how many of those people will die, and I think it is time we called attention to that.

So what we have done is for each Republican Member, since they are united in opposition to this bill, and apparently proud of it, for each Republican Member we have identified in each district the number of dead.

They are as follows:

Alabama District 1, Congressman Jo Bonner, 114 dead.

Alabama District 3, Congressman Mike Rogers, 88 dead.

Alabama District 4, Congressman Robert Aderholt, 114 dead.

Alabama District 6, Congressman Spencer Bachus, 69 dead.

Alaska, Congressman Don Young, 128 dead.

Arizona, District 2, Congressman Trent Franks, 150 dead.

Arizona District 3, Congressman John Shadegg, 132 dead.

Arizona District 6, Congressman Jeff Flake, 140 dead.

Arkansas District 3, Congressman John Boozman, 151 dead.

California District 2, Congressman Wally Herger, 139 dead.

California District 3, Congressman Daniel Lungren, 68 dead.

California District 4, Congressman Tom McClintock, 77 dead.

California District 19, Congressman George Radanovich, 124 dead.

California District 21, Congressman Devin Nunes, 159 dead.

California District 22, Congressman Kevin McCarthy, 110 dead.

California District 24, Congressman Elton Gallegly, 75 dead.

California District 25, Congressman Howard McKeon, 124 dead.

California District 26, Congressman David Dreier, 85 dead.

California District 40, Congressman Edward Royce, 125 dead.

California District 41, Congressman Jerry Lewis, 144 dead.

California District 42, Congressman Gary Miller, 74 dead.

California District 44, Congressman Ken Calvert, 150 dead.

California District 45, Congresswoman Mary Bono Mack, 181 dead.

California District 46, Congressman Dana Rohrabacher, 78 dead.

California District 48, Congressman John Campbell, 74 dead.

California District 49, Congressman Darrell Issa, 151 dead.

California District 50, Congressman Brian Bilbray, 103 dead.

California District 52, Congressman DUNCAN Hunter, 84 dead.

Colorado District 5, Congressman Doug Lamborn, 107 dead.

Colorado District 6, Congressman Mike Coffman, 69 dead.

Delaware, Congressman Mike Castle, 90 dead.

Florida District 1, Congressman Jeff Miller, 130 dead.

Florida District 4, Congressman Ander Crenshaw, 116 dead.

Florida District 5, Congressman Ginny Brown-Waite, 200 dead.

Florida District 6, Congressman Cliff Stearns, 152 dead.

Florida District 7, Congressman John Mica, 143 dead.

Florida District 9, Congressman Gus Bilirakis, 129 dead.

Florida District 10, Congressman Bill Young, 138 dead.

Florida District 12, Congressman Adam Putnam, 133 dead.

Florida District 13, Congressman Vern Buchanan, 160 dead.

Florida District 14, Congressman Connie Mack, 159 dead.

□ 1945

Florida District 15, Congressman Bill Posey, 152 dead.

Florida District 16, Congressman Thomas Rooney, 165 dead.

Florida District 18, Congresswoman Ileana Ros-Lehtinen, 199 dead.

Florida District 21, Congressman Lincoln Diaz-Balart, 195 dead.

Florida District 25, Congressman Mario Diaz-Balart, 195 dead.

Georgia District 1, Congressman Jack Kingston, 123 dead.

Georgia District 3, Congressman Lynn Westmoreland, 102 dead.

Georgia District 6, Congressman Tom Price, 100 dead.

Georgia District 7, Congressman John Linder, 156 dead.

Georgia District 9, Congressman Nathan Deal, 159 dead.

Georgia District 10, Congressman Paul Broun, 120 dead.

Georgia District 11, Congressman Phil Gingrey, 113 dead.

Idaho District 2, Congressman Michael Simpson, 126 dead.

Illinois District 6, Congressman Peter Roskam, 73 dead.

Illinois District 10, Congressman Mark Kirk, 55 dead.

Illinois District 13, Congresswoman Judy Biggert, 45 dead.

Illinois District 15, Congressman Timothy Johnson, 67 dead.

Illinois District 16, Congressman Donald Manzullo, 69 dead.

Illinois District 18, Congressman Aaron Schock, 62 dead.

Illinois District 19, Congressman John Shimkus, 67 dead.

Indiana District 3, Congressman Mark Souder, 119 dead.

Indiana District 4, Congressman Steve Buyer, 85 dead.

Indiana District 5, Congressman Dan Burton, 73 dead.

Indiana District 6, Congressman Mike Pence, 104 dead.

Iowa District 4, Congressman Tom Latham, 54 dead.

Iowa District 5, Congressman Steve King, 59 dead.

Kansas District 1, Congressman Jerry Moran, 86 dead.  
 Kansas District 2, Congresswoman Lynn Jenkins, 80 dead.  
 Kansas District 4, Congressman Todd Tiahrt, 87 dead.  
 Kentucky District 1, Congressman Ed Whitfield, 113 dead.  
 Kentucky District 2, Brett Guthrie, 102 dead.  
 Kentucky District 4, Geoff Davis, Congressman, 83 dead.  
 Kentucky District 5, Congressman Harold Rogers, 130 dead.  
 Louisiana District 1, Congressman Steve Scalise, 111 dead.  
 Louisiana District 2, Congressman Joseph Cao, 98 dead.  
 Louisiana District 4, Congressman John Fleming, 115 dead.  
 Louisiana District 5, Congressman Rodney Alexander, 132 dead.  
 Louisiana District 6, Congressman Bill Cassidy, 105 dead.  
 Louisiana District 7, Congressman Charles Boustany, 112 dead.  
 Maryland District 6, Congressman Roscoe Bartlett, 68 dead.  
 Michigan District 2, Congressman Peter Hoekstra, 71 dead.  
 Michigan District 3, Congressman Vernon Ehlers, 76 dead.  
 Michigan District 4, Congressman David Camp, 83 dead.  
 Michigan District 6, Congressman Fred Upton, 87 dead.  
 Michigan District 8, Mike Rogers, Congressman, 63 dead.  
 Michigan District 10, Candice Miller, Congresswoman, 64 dead.  
 Michigan District 11, Congressman Thaddeus McCotter, 64 dead.  
 Minnesota District 2, Congressman John Kline, 44 dead.  
 Minnesota District 3, Congressman Erik Paulsen, 43 dead.  
 Minnesota District 6, Congresswoman Michele Bachmann, 50 dead.  
 Mississippi District 3, Congressman Gregg Harper, 117 dead.  
 Missouri District 2, Congressman Todd Akin, 48 dead.  
 Missouri District 6, Congressman Sam Graves, 74 dead.  
 Missouri District 7, Congressman Roy Blunt, 120 dead.  
 Missouri District 8, Congresswoman Jo Ann Emerson, 110 dead.  
 Missouri District 9, Congressman Blaine Luetkemeyer, 78 dead.  
 Montana, Congressman Denny Rehberg, 179 dead.  
 Nebraska District 1, Congressman Jeff Fortenberry, 61 dead.  
 Nebraska District 2, Congressman Lee Terry, 68 dead.  
 Nebraska District 3, Congressman Adrian Smith, 69 dead.  
 Nevada District 2, Congressman Dean Heller, 172 dead.  
 New Jersey District 2, Congressman Frank LoBiondo, 71 dead.  
 New Jersey District 4, Congressman Chris Smith, 65 dead.  
 New Jersey District 5, Congressman Scott Garrett, 52 dead.  
 New Jersey District 7, Congressman Leonard Lance, 45 dead.

New Jersey District 11, Congressman Rodney Frelinghuysen, 44 dead.  
 New York District 3, Congressman Peter King, 42 dead.  
 New York District 26, Congressman Christopher Lee, 40 dead.  
 North Carolina District 3, Congressman Walter Jones, 100 dead.  
 North Carolina District 5, Congresswoman Virginia Foxx, 97 dead.  
 North Carolina District 6, Congressman Howard Coble, 103 dead.  
 North Carolina District 9, Congresswoman Sue Myrick, 82 dead.  
 North Carolina District 10, Congressman Patrick McHenry, 101 dead.  
 Ohio District 2, Congresswoman Jean Schmidt, 69 dead.  
 Ohio District 3, Congressman Michael Turner, 78 dead.  
 Ohio District 4, Congressman Jim Jordan, 74 dead.  
 Ohio District 5, Congressman Robert Latta, 59 dead.  
 Ohio District 7, Congressman Steve Austria, 73 dead.  
 Ohio District 8, Congressman John Boehner, 70 dead.  
 Ohio District 12, Congressman Patrick Tiberi, 66 dead.  
 Ohio District 14, Congressman Steven LaTourette, 58 dead.  
 Oklahoma District 1, Congressman John Sullivan, 125 dead.  
 Oklahoma District 3, Congressman Frank Lucas, 128 dead.  
 Oklahoma District 4, Congressman Tom Cole, 121 dead.  
 Oklahoma District 5, Congresswoman Mary Fallin, 155 dead.  
 Mr. GINGREY. Mr. Speaker, I request that the gentleman's words be taken down.

#### RECESS

The SPEAKER pro tempore. The Chair has not yet conferred recognition for that demand. Accordingly, there being no question pending before the House, the Chair declares the House in recess subject to the call of the Chair pursuant to clause 12(a) of rule I.  
 Accordingly (at 7 o'clock and 56 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 2100

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SCHAUER) at 9 o'clock p.m.

#### THE COST OF NOT HAVING HEALTH CARE

The SPEAKER pro tempore. The Chair understands that the gentleman from Georgia does not seek to proceed with a call to order pursuant to clause 4 of rule XVII. As such, the gentleman from Florida is recognized for 37 minutes.

Mr. GRAYSON. We now return to our regularly scheduled program. The ef-

forts to keep me from doing what I'm doing here have failed, and now I'm going to continue. So, for those of you who are joining, let me explain what is happening here.

The American Journal of Public Health published a study a month ago, identifying the fact that 44,789 Americans die each year from not having health insurance. If you have two identical Americans, one of whom has health insurance, one of whom doesn't—we're talking about people who are the same age, the same gender, the same race, with the same smoking habits, the same weight—the one who does not have health insurance is 40 percent more likely to die.

We also have statistics from the Urban Institute, identifying how many uninsured people there are in each district, and we all know that the Republicans have promised to vote against the Democrats' health care bill. So what we're doing here tonight is the remarkably simple exercise of A times B equals C—A times B equals C—and identifying for each Republican district what that actually means.

When I was interrupted before, I had just said the following: Ohio District 12, Congressman Patrick Tiberi, 66 dead.

Now I'm going to continue until the end.

Ohio District 14, Congressman Steve LaTourette, 58 dead.

Ohio District 1, Congressman John Sullivan, 125 dead.

Oklahoma District 3, Congressman Frank Lucas, 128 dead.

Oklahoma District 4, Congressman Tom Cole, 121 dead.

Oklahoma District 5, Congressman Mary Fallin, 155 dead.

Oregon District 2, Congressman Greg Walden, 150 dead.

Pennsylvania District 5, Congressman Glenn Thompson, 64 dead.

Pennsylvania District 6, Congressman Jim Gerlach, 49 dead.

Pennsylvania District 9, Congressman Bill Shuster, 83 dead.

Pennsylvania District 15, Congressman Charles Dent, 54 dead.

Pennsylvania District 16, Congressman Joseph Pitts, 77 dead.

Pennsylvania District 18, Congressman Tim Murphy, 40 dead.

Pennsylvania District 19, Congressman Todd Platts, 51 dead.

South Carolina District 1, Congressman Henry Brown, 157 dead.

South Carolina District 2, Congressman Joe Wilson, 118 dead.

South Carolina District 3, Congressman Gresham Barrett, 112 dead.

South Carolina District 4, Congressman Bob Inglis, 133 dead.

Tennessee District 1, Congressman David Roe, 110 dead.

Tennessee District 2, Congressman John Duncan, 85 dead.

Tennessee District 3, Congressman Zach Wamp, 94 dead.

Tennessee District 7, Congressman Marsha Blackburn, 71 dead.

Texas District 1, Congressman Louie Gohmert, 155 dead.



Texas District 2, Congressman Ted Poe, 126 dead.

Texas District 3, Congressman Sam Johnson, 144 dead.

Texas District 4, Congressman Ralph Hall, 134 dead.

Texas District 5, Congressman Jeb Hensarling, 151 dead.

Texas District 6, Congressman Joe Barton, 136 dead.

Texas District 7, Congressman John Culberson, 103 dead.

Texas District 8, Congressman Kevin Brady, 132 dead.

Texas District 10, Congressman Mike McCaul, 127 dead.

Texas District 11, Congressman Michael Conaway, 164 dead.

Texas District 12, Congressman Kay Granger, 156 dead.

Texas District 13, Congressman Mac Thornberry, 144 dead.

Texas District 14, Congressman Ron Paul, 146 dead.

Texas District 19, Congressman Randy Neugebauer, 132 dead.

Texas District 21, Congressman Lamar Smith, 119 dead.

Texas District 22, Congressman Pete Olson, 150 dead.

Texas District 24, Congressman Kenny Marchant, 138 dead.

Texas District 26, Congressman Michael Burgess, 162 dead.

Texas District 31, Congressman John Carter, 124 dead.

Texas District 32, Congressman Pete Sessions, 209 dead.

Utah District 1, Congressman Rob Bishop, 128 dead.

Utah District 3, Congressman Jason Chaffetz, 154 dead.

Virginia District 1, Congressman Robert Wittman, 68 dead.

Virginia District 4, Congressman Randy Forbes, 93 dead.

Virginia District 6, Congressman Bob Goodlatte, 99 dead.

Virginia District 7, Congressman Eric Cantor, 76 dead.

Virginia District 10, Congressman Frank Wolf, 81 dead.

Washington District 4, Congressman Doc Hastings, 152 dead.

Washington District 5, Congressman Cathy McMorris Rodgers, 88 dead.

Washington District 8, Congressman David Reichert, 69 dead.

West Virginia District 2, Congressman Shelley Moore Capito, 102 dead.

Wisconsin District 1, Congressman Paul Ryan, 64 dead.

Wisconsin District 5, Congressman James Sensenbrenner, 38 dead.

Wisconsin District 6, Congressman Thomas Petri, 52 dead.

And Wyoming, Congressman Cynthia Lummis, 73 dead.

Our constituents sent us here to do good things for them. Our constituents sent us here—some with high expectations, some not so high—but is it really asking too much of us that we keep people alive?

We know, according to this Harvard study, that if we do nothing these people will die. Is it really asking so much of us to cast our vote to save these people?

For those of us who favor health care, we realize literally the life we save may be our own. Every one of us can lose his job. Every one of us can lose his health. Every one of us can have a preexisting condition. Every one of us can be denied care. Every one of us can die. Is it really asking so much that we solve this problem for America once and for all?

Honestly, for those of us who care about these things, this is what we have in mind: if we fail, if we fail to save these lives in America, then may God have mercy on our souls.

It is important to recognize that this is not a statistic. This is much more than that. These are friends. These are neighbors. These are mothers and fathers. These are sisters and brothers. These are daughters and sons. This is us. These are the people who are losing their lives today because we haven't acted yet.

At our Web site, this Web site here, NamesoftheDead.com, we've invited these people to be more than statistics. We've invited these people to tell their stories to us, to America, to have America tell America what's going on. Just as I did last week, I'm going to do it again this week, take the remainder of my time tonight and yield my time to you, yield my time to America and understand the simple eloquence of people suffering.

So for the rest of my time tonight, you will not be hearing from me. You will be hearing from you and listening to what you have to say about real people—people who are loved, who lost their lives because they had no health care. Let's begin.

Erika Herd wrote to us about Susan Olivas in Denver, Colorado, who was 45 years old when she died:

My sister worked for a small business that did not offer health care benefits and barely paid minimum wage. She started having some health issues, including what she thought were hemorrhoids. She simply couldn't afford to see a doctor for what she thought was an over-the-counter condition. She waited for a full year before they became really bad. Susan was diagnosed with anal cancer. I can't help but believe, had she had insurance, she never would have delayed treatment. She died on November 7, 2004.

This is from the Web site NamesoftheDead.com—true stories about true people who lost their lives because they had no health care in our country in America.

Now let's listen to Carroll Chaney about Mark Wayne Chaney of England, Arkansas, who was 46 years old when he died:

My brother began to have stomach pain, but he had no insurance. He even confided to me that he was afraid he had cancer. We had a grandfather, and three of his brothers had all passed away from cancer. It all began as pancreatic cancer for each one of them, and of course, it ended up all over their body. By the time my brother was fi-

nally diagnosed, it was in his liver, and he was told by oncologists here in Little Rock and at the MD Anderson Cancer Clinic in Houston there was nothing they could do. They told him to make peace with God, and go home and die, which he did 6 months later at the age of 46—10 years ago, 2 days after Thanksgiving—leaving a young daughter and son and grieving family members, including a dad who still mows his grave site twice a week. I'm his brother, Carroll Chaney.

Angelique Louis wrote to us at the Web site, NamesoftheDead.com, and wrote to us about Bernadine Oakley, aged 60, of Des Moines, Iowa:

□ 2115

She died of an aneurysm. She once had breast cancer and ovarian cancer. She was so concerned with the cost of it that she was fearful for the return of the cancer. She couldn't afford medicine for her high blood pressure, and it finally caught up with her. My mother's funeral was a standing-room only event. She had for over 20 years instructed a preschool class and assisted many within our community. Her life left this Earth too soon.

Now let's hear from Barbara Brown writing to us about Pat Dapolito of Medford, Massachusetts.

My brother was diagnosed with colon cancer at the age of 57. He was self-employed and he didn't have health insurance. Surgery was recommended, and at one point he was asked directly by the surgeon, how do you plan on paying for this surgery? Of course, he couldn't pay for it himself. As a result, he died 6 months later.

Now let's hear from Leslie Walsh writing about William Walsh, age 62, of San Diego, California.

My ex-husband died of bladder cancer because he lived in fear of running up preventable medical expenses due to lack of insurance coverage. His cancer was far advanced by the time he was forced to seek help from the City of Hope. With simple well-person exams, his cancer could have been discovered much earlier on and could have been treated and he would be alive and living with me and my husband today.

Now let's hear from Winifred Haun concerning Declan Haun, 56 years old, right here in Washington, D.C.

My father died of throat cancer on March 7th, 1994. He had been suffering from a sore throat for nearly a year, but being a freelance photo journalist and a small business owner, he could not afford to go to the doctor. By the time he went to the doctor, the pain had become so bad that he couldn't eat. He couldn't eat. He had stage four terminal throat cancer. He was treated at the NIH in Washington, but there was very little they could do to even try to save him. If he had gone to the doctor sooner, there is a good chance he might still with be with us today.

Let's hear from Tracy Sykes about Terri-Lynn Sykes of Wilmington, North Carolina, who wrote to us at this

website, [namesofthedead.com](http://namesofthedead.com). She wrote as follows:

My sister could only afford to keep her diabetic son insured, not herself. She had to choose between her son and herself. Her cancer was not diagnosed until it was stage four. She died after fighting it for 2½ years. Her son is alive today. He is 10 years old. He lost his mother.

Let's hear now from Sam Downey about Megan Ratzow of Portland, Oregon.

Megan didn't have health insurance so she didn't go to a doctor until it was too late. She finally went to the emergency room and she died in the hospital a week later. None of us really knew she was even sick. If she had had health care, she would have been able to get the treatment she needed before her cancer was so far along that it couldn't be treated. Megan was a very good person. The world could have used her spirit for a few more years.

Now let's hear from Ellesia Blaque concerning Michelle Dennis of West Chester, Pennsylvania.

Michelle Davis, nicknamed Mickey, was not my relative, but she was the sister of my best friend and the love of my life, Tony Dennis. She died because she did not have health care. By the time she was diagnosed with ovarian cancer, she was terminal. She was diagnosed in May 2001 and died that August. Not only did I lose Mickey, but I also lost Tony, who in his grief committed suicide the day after Mickey passed away. I lost two friends because there was no health care for Mickey to receive timely diagnosis and treatment.

Now let's hear from Elaine Gill, who wrote to us at the website [namesofthedead.com](http://namesofthedead.com), this website, concerning Donald Ray Yost.

My brother endured months of pain, putting off going to the doctor because of concerns with how much it would cost. When the pain became so severe that it was intolerable, he made a doctor's appointment. After X-rays were taken and tests were run, the doctor delivered a grim diagnosis: Cancer, spread through his whole body and bones. My brother refused treatment because he knew the costs would drain his family of any savings and they would lose their home. To prevent his wife and two daughters from having their financial security and their home taken away, my brother chose not to undergo the medical treatment he would need to give him a fighting chance to live. He said he would not bankrupt his family in order to undergo the expense of long-term treatment. He died less than 6 months later, on May 6th, 2007.

Now let's hear from Jessica Falker of Vermont, who wrote to us about her Aunt Anita.

My aunt had no health insurance and couldn't afford the test to find out what was wrong with her. By the time she finally could afford to get tested, she had stage 4 cancer. She died only 3 months later.

I am sure Jessica misses her aunt.

Let's hear now from Robert Burns about Jay Holman of Gouldsboro, Maine.

Jay never saw a doctor because he had no health insurance. For 3 years he lived with health issues until he became seriously ill. It turned out to be cancer and it spread through his body. He had stage four cancer when he was hospitalized, and 6 weeks later he passed away. A sad ending, yes, a very sad ending, for a business owner, an Eagle Scout, a Merchant Marine and a fine human being.

Now let's hear from Jennifer Lawrence, who wrote to us about Guy Lawrence in Dubuque, Iowa, at this website, [namesofthedead.com](http://namesofthedead.com).

My father worked four jobs a day to keep my family fed and housed and clothed. None of them provided him with insurance. One day he caught a cold. Two days later it turned into pneumonia. He didn't go to the hospital because he didn't have the money to pay for a visit to the emergency room. He was sure it would go away. Instead, it killed my father.

Let's hear now from Erin Norton concerning Neil Norton of Joseph City, Arizona.

My father had his first heart attack on his 46th birthday and he survived. He was afraid to go to the hospital because of the cost and the humiliation of being uninsured. After the emergency had passed, he couldn't go to the doctor because he didn't have enough money to pay up front. Two days after his birthday, he had another heart attack, and this time he died in the back of an ambulance, still not sure whether he should even be trying to seek medical care because of what it would cost.

My mother became uninsured recently after her job fired her because she needed surgery. She is 56 years old. She is \$17,000 in debt from her surgery and hoping like hell not to get sick again. She is now an uninsured nurse, no less. I am scared of history repeating itself. I hope I don't have to come back to this web page. I hope Congress doesn't let me become a health insurance orphan.

This is Lilieth Taylor writing to us at the website [namesofthedead.com](http://namesofthedead.com) concerning Robert Taylor of East Orange, New Jersey, who died at the age of 63.

My brother was one of the working poor. He could not afford health insurance. He had several chronic illnesses. He could not afford his medication or the necessary doctor's visit. His health care provider was the emergency room. He died on April 28th, 2009. I know my brother would be alive today if we had a public option.

Now let's hear from Lenny Fairchild, who wrote to us at [namesofthedead.com](http://namesofthedead.com) concerning Judi Martin of Boothbay Harbor in Maine.

My sister's husband died of a staph infection 2 years prior to her death. In her grief, she sold her home and moved to Maine to be near us. She lost her

health insurance and could not afford to purchase any. She lived on only her widow's Social Security benefit. She was not old enough for Medicare. Progressive pain finally took hold and she went to the emergency room in September of 2005. A CAT scan revealed that she had pancreatic cancer, massive pancreatic cancer. In less than 2 weeks, she was dead. I don't know how she withstood the pain.

Now we hear about Scott Shantz of DeBary, Florida, who died at the age of 47.

Scott was feeling terrible, but he wouldn't go to the hospital because he didn't have insurance. His wife even drove him to the emergency room, but he wouldn't go in because he couldn't afford it. And a week later he was dead. It turned out that he had a lung clot, something which is treatable. If he had only had insurance.

Let's hear now from Randy Krzesinski concerning Mary Hill of Tarboro, North Carolina. Randy wrote to us at the website [namesofthedead.com](http://namesofthedead.com), this website here.

Mary Hill was my beloved sister. At age 56 she died of a sudden cardiac arrest on October 1st, 2009. Because Mary worked part-time, she couldn't find full-time work, she did not receive health care benefits. Mary had previously been diagnosed with high blood pressure. When she died, her doctor called me to inform me that Mary didn't always take her blood pressure medication because she couldn't afford it. And Mary was too proud to tell any of us in her family about this sad secret, that she couldn't afford her medication, and it cost her her life. I shall grieve for her and I shall grieve about this for a long time. Thank you for letting me tell Mary's story.

Now let's hear from Donna Startz concerning "EZ" Govella of Corpus Christi, Texas, who died at the age of 40. Forty.

EZ knew there was a problem, but his new insurance wouldn't kick in for a couple of months, so he waited to go to the doctor. When he finally went, it was discovered that he had a virulent form of testicular cancer, one where days make a difference between life and death. He fought the cancer for 2 years, but he lost his battle just days after his 40th birthday, leaving behind a wife, a 7-year-old daughter, and a mountain of debt. A mountain of debt.

Let's hear now from Stephen Marban concerning Tomas Bimmerle of New Orleans, Louisiana, who passed away at the age of 58.

My brother-in-law, Tom, died over Christmas of 2008 of lung cysts because he did not have health insurance. He survived as long as he did because of the heroic efforts of Charity Hospital in New Orleans where he lived. Tom was a very talented carpenter who worked tirelessly for Habitat for Humanity in New Orleans for years, building many houses, at times single-handedly. But since Habitat for Humanity does not offer employment or

health benefits, except for one or two administrators in each city, and Tom's income outside of Habitat was minimal, he lived uninsured for years and died early as a result at age 58.

Steve Ekhome wrote to us concerning Gib Martin of Iowa City, Iowa, who passed away at the age of 37. He wrote to us at the website names of the death dot.com.

Gib was a healthy 37-year-old who was 3 months into a new job, but unfortunately his health insurance didn't kick in until he had been employed there for 6 months.

□ 2130

He never made it. He came down with a cold and then flu, and then he seemed very sick. His mother called us to plead with him to go to the emergency room. He refused because of what it cost. Because of what it cost. His mother found him dead of pneumonia the next morning.

Let's hear from Caitlin Howarth regarding Bob Stimpson of Providence, Rhode Island, who died at the age of 56: Caitlin writes:

Bob Stimpson was my uncle. Just over a month ago, he died of cancer. He'd been getting sicker, but he never went to a doctor because he didn't have health insurance. He was a small business owner. He ran his own restaurant in Providence. He had a teenage son and a wife. He did the best to take care of them and to take care of his own employees. But it wasn't enough to keep himself alive.

And now let's hear from Rebecca Nourse concerning Buz Nourse of Stuart, Florida, who died at the age of 48:

My father was on expensive medications for high blood pressure and high cholesterol. He had no insurance and was not eligible for any programs that would have paid for his medication or reduced their cost. For a time, he borrowed money from relatives to buy his medicine that he needed to keep himself alive. But eventually he decided that if he could not afford the medications on his own, he would do without them. He died of his first heart attack at the age of 48.

Cynthia Lovell wrote to us to tell us about her Uncle Abe of Altoona, Pennsylvania, who died at the age of 64. She wrote:

My uncle Abe worked as a self-employed plumber. Some years he could afford insurance, some years he couldn't. He came down with congestive heart failure, and he couldn't afford the insurance. He kept waiting to see a doctor until he turned 65 so that he would have Medicare. He waited and he hoped. Finally, he got so sick that my other two uncles went and got him. They intended to take him to the emergency room and to pay his bill for him. Both are retired and they're on fixed incomes, but their baby brother was so sick and they were so scared that they figured they would come up with some way to pay his hospital bills. However, my Uncle Abe died in

the emergency room, waiting, trying to get to 65.

Yvonne Hebert wrote to us about Frances Dawson of Long Beach, California. This is what she wrote:

Fran was an RN. She was overweight. She was unable to get health insurance. She was well aware of the need for insurance and had been insured until she and her husband were divorced. She had two teenage children she was trying to raise. Fran became short of breath and went to the emergency room in Long Beach. They explained they couldn't care for her without insurance there, and she went to the Martin Luther King Hospital where people without insurance were being sent for care. Martin Luther King was, and always is, overwhelmed with uninsured people. Fran died there in the emergency room after many hours waiting for care.

I could go on and on and on. We have received hundreds upon hundreds of stories just like these. And I will tell you, you would have to have a hard, hard heart to ignore them.

Now is our chance to do something about it. Now is our chance to see to it that everyone in America can see a doctor if he or she needs to; that everyone in America has affordable, comprehensive, and, most important of all, universal health care.

I'm calling not only upon the Republicans but also the Democrats to ask them to think about why they are here. We are at the decision point. We'll be voting on this bill this week, and the choice is up to us. We can save these people or we can let them die.

I vote for life.

#### HEALTH CARE REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Georgia (Mr. BROWN) is recognized for 60 minutes.

Mr. BROWN of Georgia. Mr. Speaker, our previous speaker went through a long list of Republican districts insinuating that Republicans wanted these people to die, it seemed to me.

I'm a medical doctor. I've practiced medicine for almost four decades. I literally have given away hundreds of thousands of dollars of my own services with no compensation whatsoever to people who don't have health insurance. I'm joined tonight by my good friend and colleague, in fact, one of my mentors, Dr. Phil Gingrey, who is an OB/GYN from Marietta, Georgia, and he and all the other physicians in this body on our side are very, very concerned about the future of our patients and about where we are going as a Nation.

You see, Mr. Speaker, Republicans have offered 53 bills, fixing to be 54 bills with the Republican Conference's bill, that will literally lower the cost of health care, make it more affordable for all Americans.

Our bill will not put people out of work like the Pelosi health insurance

bill that we are going to be voting on very shortly. In fact, it's been estimated by the experts, in fact, Barack Obama's own economic adviser, that 5.5 million people are going to lose their jobs because of the Pelosi health care bill. Mr. Speaker, 5.5 million Americans are going to lose their job that they have today because the Democrats want to force down the throats of the American people a health insurance bill that's not about health care, Mr. Speaker. It's about power. It's about control. It's about taking over one-sixth of our economy.

There are many solutions that Democrats and Republicans alike could embrace. In fact, I've challenged many times one on one and I've challenged publicly and I challenge today Democrats to take a bill that I will give them—they can put their name on it, take credit for it—that will do four things: One is across-State purchasing for individuals and businesses to be able to buy insurance wherever they can find it cheaper in whatever State. The second issue is to have association pools where individuals can come together in an association, and that association can offer anybody that is affiliated with it a health care insurance package or multiple insurance packages that they would have their choice of purchasing. The third thing is to have some stimulation of the States to develop some high-risk pools. In fact, there are several States that have already done this, and they've been very successful in covering patients with preexisting conditions and high-risk medical conditions. And the fourth thing is to have a 100 percent deductibility for all health care expenses for everybody in this country.

Right now businesses get to deduct their health insurance that they provide, the costs anyway. They deduct the costs of the health insurance that they provide to their employees. The employees can get that health insurance as a tax-free benefit, and whatever they pay into it is not taxed. But a small business man or woman, an individual has to pay taxes on their money. They have to buy it with after-tax dollars. That makes it so expensive for individuals and small businesses to be able to buy insurance.

But if a Democrat will pick up that bill and convince Ms. PELOSI to allow us to have a debate on this floor, I will just about guarantee that 177, and I think that's what we have now on our side, 177 Republicans will cosponsor and vote for that bill and the majority of Democrats will vote for that bill and we will pass it into law.

It will make health care affordable for everybody. It won't raise taxes. It will not increase the deficit. It will not do anything to harm our economy. And we could pass that bill. We could pass that bill this week.

I challenge Democrats to take the bill. I will give them the language. I'll give them the bill. All they have to do is write their name into it. I will be the

first Republican cosponsor. They'll drop it in the hopper, and we will have health care insurance financing reform that will make sense on an economic basis. It will put market-based principles into the health care financing system.

You see, Mr. Speaker, we hear people talk, particularly on the Democratic side, about health care as if it's one big monolithic theme, that if people don't have health insurance, they don't have health care. That's hogwash. It's just balderdash. It's hogwash from the first order. It's not true.

I've treated those people. I'm also on the foundation board for St. Mary's Hospital in Athens, Georgia. St. Mary's Hospital is a Catholic East Hospital, and in that hospital the doctors, the nurses, physical therapy people, all the allied health personnel, the hospital itself, treat people without insurance.

You go to any emergency room in this country, Mr. Speaker, and it's filled with people that do not have insurance. In fact, every single individual in this country can walk into any emergency room in this country with an emergency condition and can be seen and treated. Everyone. Every single person in this country has access to health care today.

Not everybody owns insurance, that's true. Why? Insurance has become very, very expensive. I don't think there is a single person, Mr. Speaker, in this body that doesn't want to do something to help people to be able to afford insurance.

But we're going to destroy our economy. We're going to destroy our economy because we are going to spend a trillion, \$1½ trillion, \$2 trillion, \$3 trillion on this government takeover of the health care industry in America. It's going to destroy our economy. It's going to increase the debt, Mr. Speaker, markedly increase the debt.

When President Obama came and spoke in the Speaker's podium to a joint session of Congress, Senate and House Members were here. I was sitting right back there that night. Mr. Speaker, the only person who spoke the truth that night was JOE WILSON. JOE WILSON spoke the truth that night. Mr. Speaker, the Pelosi health care bill is going to be disastrous.

When I graduated from medical school, I took the Hippocratic Oath. It said, "do no harm." Mr. Speaker, the Pelosi health insurance bill is going to do a lot of harm. In fact, people on Medicare right now today are going to be denied lifesaving treatments, lifesaving procedures.

Medicare already today rations care. It tells me and my colleagues when we can put patients in the hospital, how long they can stay there, what services they'll pay for.

Mr. Speaker, we're going to have more rationing of care under the Pelosi health insurance bill. Why? The Pelosi health insurance bill is going to destroy Medicare Advantage, which there are millions of Medicare recipients on

Medicare Advantage today. It's going to destroy Medicare Advantage, and it's going to move those people into the regular Medicare system. We're going to put more people on Medicare. Plus we're cutting the dollars spent on Medicare by \$500 billion. Five hundred billion, a half a trillion dollars is going to be cut out of Medicare.

□ 2145

You're going to put more people on and cut the financing of Medicare.

What does that mean? They're going to have to ration care. And, in fact, the bill itself says that the health care czar—it's called a commissioner in the bill—can establish waiting lists and rationing of care. The bill itself says that. And it's going to absolutely be done. Plus right now today, also, Mr. Speaker, you have doctors all over the country that cannot afford to see Medicare patients anymore. They want to, they're trying to, but they can't afford to, because Medicare today pays doctors and pays hospitals less than it costs them to give the service. I repeat that. Medicare pays doctors and hospitals less today than it costs to deliver the service.

Now if we cut \$500 billion out of Medicare and we put more people on Medicare, what's going to be the result? Not only is it going to be rationing of care and long waiting lines, Mr. Speaker, rural hospitals all over this country are going to go out of business. The long-term result is going to be, we'll have just a few big regional hospitals that are going to be extremely expensive for everybody; and small rural hospitals, small rural communities, even mid size rural communities, are going to be without hospitals, without doctors, without health care in their community.

That's what the Pelosi bill is going to do. This is not about health care with the Pelosi insurance bill. It's about power and control, and it's going to destroy America.

Mr. HOEKSTRA. Will the gentleman yield?

Mr. BROUN of Georgia. Yes, I will be glad to yield. I welcome my good friend from Michigan, Mr. PETE HOEKSTRA, who has been a great spokesman about these issues.

Mr. HOEKSTRA. I thank my colleague for yielding and I think you made a great point. It's not about the quality and the quantity of health care; it's about control. That's why you see such a difference between the Republican proposal and the Democrat proposal. Because the Democrat proposal says we're going to totally wipe out over a period of time, private sector health insurance and we're going to take the freedom that the American people have to direct their insurance, to direct their health care, and we're going to move it over and we're going to put that responsibility, that authority and that control in the Federal Government.

This is their bill, but that's not all of it. That's their bill. This is their bill.

This is almost all of it. I don't have the last 40 pages that the Speaker added to it last night. But when you're going to take over health care and move responsibility from you and me and our constituents and move it to government, it takes you 2,000 pages to describe what you're going to do, create the 3,000 times where it says the commissioner shall, will or must, because those are new decisions that the Federal Government is going to make and we're not going to make.

If you want to fix health care and address the problems, this is all you really need. That's the Republican proposal.

Mr. BROUN of Georgia. That's the Republican bill.

Mr. HOEKSTRA. The Republican proposal says we want to do tort reform, we want to deal with preexisting conditions, we want to do some stuff with competition and those types of things.

This fixes health care; takes steps toward improving and fixing the problems that we have identified. This creates massive government bureaucracies. This represents a loss of freedom. And this says we're going to fix the problems that are out there.

Mr. BROUN of Georgia. Reclaiming my time, I want to bring up a point just to re-approach something that you brought up that I think the American people need to understand, Mr. Speaker. In that humongous bill that the gentleman from Michigan has his hands on right there, the Pelosi health insurance bill, in that bill it says that by 2013, no one can sell private insurance to individuals or businesses.

Remember when we heard from the President that if you have health insurance and you like it, you can keep it? That's a bald-faced lie, because the bill itself says that after 2013, no one—no one—can sell private insurance to individuals and small businesses.

Mr. HOEKSTRA. They've got to be approved by this new bureaucracy, the czar.

Mr. BROUN of Georgia. That's right.

Mr. HOEKSTRA. So what we've got is this 2,000 pages, but it's still an outline. This outline creates that which is going to make all of the decisions. And when you take a look at all the bureaucracy and paperwork that's going to come out of here, this is only the beginning. This is not the end. This is the beginning of government-run health care in America.

Mr. BROUN of Georgia. I will reclaim my time.

Our previous speaker was just saying that he wanted universal health care. The President himself has said he wants universal health care. Many of the Democrats have said they want universal health care. What does that mean? That means that the government runs all the health care, the socialized medicine, one single insurance company in America, and that's the Federal Government.

I now want to yield to my dear friend, Dr. PHIL GINGREY, an OB-GYN,

graduate of the Medical College of Georgia. We were there at the same time, my medical school alma mater and his, too. Unfortunately, he went to the North Avenue Trade School, Georgia Tech, where I went to the University of Georgia. Dr. GINGREY has been a leader on this issue here, and I will yield to the gentleman.

Mr. GINGREY of Georgia. Mr. Speaker, I really appreciate Dr. BROWN yielding to me. And in reference to the gentleman from Michigan, Representative HOEKSTRA, who just showed that 2,000-page bill and all the bureaucracy that's involved in that, I think it's appropriate for our colleagues to look at this chart that I have here at the desk that Representative HOEKSTRA is helping me hold; and it shows actually the bureaucracy involved in H.R. 3200. That was about a 1,200-page bill. Now the Pelosi health care reform that the Representative from Michigan just showed us, the 2,000-page monstrosity, these 53 bureaucrats, czarocrats, czarinas, whatever, have grown to about 150. And this is what it takes to grow a bureaucracy to have a Federal Government complete takeover of one-sixth of our economy.

And I just think it's appropriate, Mr. Speaker, for all of our Members on both sides of the aisle to understand where the almost \$1.1 trillion is going to in this takeover of our health care system. You've got to feed all these animals in this bureaucracy, every one of these czars.

Mr. HOEKSTRA. Does the gentleman mean it's not all going to health care?

Mr. GINGREY of Georgia. The gentleman from Michigan is absolutely right. It is not all going to health care. And we are proud to be able to present information this evening, Mr. Speaker, a letter from the Congressional Budget Office to Leader BOEHNER, the Honorable JOHN BOEHNER, the minority leader of the House, in regard to the Republican alternative.

Mr. BROWN of Georgia. Reclaiming my time, the Republican alternative that the Democrats say we don't have, but we do, CBO has already scored our alternative. Actually we've got 54 alternatives, but this is one. This is one that the conference, Mr. BOEHNER and the whole Republican Conference, is introducing; and CBO has literally scored the Republican alternative that the Democrats deny we have, and it's that small bill right there on the desk in front of the gentleman from Michigan.

Mr. GINGREY of Georgia. I am holding, as the gentleman said, Mr. Speaker, the letter from the Director of the Congressional Budget Office, Mr. Doug Elmendorf, who says that this Party of No, this Republican Party of No, who has no alternatives, no plan, well, surprisingly, we have a letter from the Congressional Budget Office that says this Party of No has a plan that will actually reduce health insurance premiums by 10 percent across the board.

Mr. BROWN of Georgia. Say that again, please.

Mr. GINGREY of Georgia. And also over a 10-year period of time, saves something like \$60 billion.

Mr. BROWN of Georgia. Please repeat that.

Mr. GINGREY of Georgia. I just want to say that the Republican alternative that we have, and we can talk about some of the specifics of that as we go on tonight in this hour. Tort reform obviously is one of them; allowing people to buy insurance across State lines is one of them; creating high risk pools within the States is another. Again, there are a number of us here on the floor tonight and we can talk about this. But, overall, the CBO report, the all-important, nonpartisan CBO report, says that it reduces the cost of health insurance premiums 10 percent across the board and saves \$61 billion from our deficit over the next 10 years.

Our plan works, and it doesn't break the bank. Their plan breaks the bank, and it is an Edsel. They have paid for an Edsel.

I will yield back to the gentleman that's controlling the time, but it's a pleasure to bring these facts to my colleagues tonight.

Mr. BROWN of Georgia. I thank my friend, Dr. GINGREY from Georgia, for bringing that up. If you wouldn't mind, let's talk about some of the specifics, along with Mr. HOEKSTRA.

But I want to yield to my good friend, STEVE KING from Iowa, who has been very diligent in trying to bring information. In Hosea 4:6 we read, My people are destroyed for lack of knowledge.

The American people really don't have the knowledge about this health care bill that NANCY PELOSI has presented that's going to really destroy our economy. It's going to destroy jobs. It's going to destroy a lot of things. Mr. KING from Iowa has been very vigilant in trying to inform the American people and I thank you, sir, for your effort. I will be glad to yield to you, sir.

Mr. KING of Iowa. I thank the gentleman from Georgia for heading up this Special Order tonight and for covering my back every time that I need it covered. It's a strong sense of duty that he has and a sense of friendship that I feel, and I appreciate it.

I listened to the other doctor from Georgia who showed our poster a little bit earlier, that poster with all of those colored new Federal agencies. That's enough to scare the living daylights out of anybody. But this bill that the gentleman from Michigan has just showed, these 1,990 pages plus 40, if you can stack them all up together, so it's over 2,000 pages. But in that are now, not as the colored chart originally showed was 32 new agencies and some added up to 54, but this 2,000-page bill is 111 new agencies.

I have here a list of them. I'm not going to read them all off because it would put me to sleep before I got to the bottom, but I highlighted just a few of them to give us a sense of what

kind of government bureaucracy and empire building would be launched if the Speaker has her way and socialized medicine is imposed upon America in the form of this bill.

H.R. 3962 has in it a program of administrative simplification. So we have to have a government agency to simplify the government bureaucracy. That's one of those that would be from George Orwell. Another one, Health Choices Administration. It is the scariest. That director of the Health Choices Administration becomes the commissar-isioner that writes all the new rules for everybody's health insurance policy.

Then you have the Qualified Health Benefits Plan ombudsman. Well, that's the person that has to be in between the regular person and the government, because the government will be so complicated that a regular person can't deal with the government. That's why they put an ombudsman in here.

Then you have the Health Insurance Exchange. That's where every new health insurance policy would have to qualify. There is not a single policy out of the 100,000 that are available for purchase in America today that are issued by 1,300 companies in America that the President of the United States, the Speaker of the House or the Majority Leader in the United States Senate can point to and say, that policy will be available in 2013 if a bill passes that goes to the President's desk, because they all would have to comply with new rules to be written later.

□ 2200

Then you have program for technical assistance to employees of small businesses buying exchange coverage. Well, that gives me confidence, having something that long.

Health Insurance Exchange Trust Fund, where the money goes for the new health insurance exchange.

State-based health insurance exchanges.

Public health insurance option.

Oh, yes, the ombudsman for public health insurance option because no regular person could possibly deal with the public health people. They have to have an intermediary called an ombudsman.

The list goes on. Demonstration programs, Center for Comparative Effectiveness Research, Comparative Effectiveness Research Commission to run the center.

Mr. BROWN of Georgia. Let me reclaim my time because you have hit something that we need to flesh out here a little bit. Comparative effectiveness research, now Dr. GINGREY and I know, as medical doctors, we look at comparative effectiveness for different treatment modalities. For instance, for prostate surgery, does surgery work better than chemotherapy or radiation therapy, or does the combination of one or both or all three work best? That is the kind of comparative effectiveness we do in medicine.

But what this comparative effectiveness research is going to do, it is going to look at how to spend these limited dollars that the Federal Government is going to take away from small business and individuals through increased taxes on the middle class, increased taxes on small business that is going to rob people of their jobs, they are going to take the effectiveness of spending those dollars on a young person versus an old person. And the old person is going to get the short end of that stick. That is the reason why seniors all over this country are fearful. And they should be, rightfully so, because they are going to be denied treatments. They are going to have rationing of care.

I see Mr. HOEKSTRA is chomping at the bit. He wants to jump in here. I yield to Mr. HOEKSTRA.

Mr. HOEKSTRA. It is kind of interesting. We did a telephone town hall tonight, and we had a thousand, 1,200 people on the phone. People were asking, When is this bill going to come up?

And we say right now the plan is to have it come up on Saturday.

They say, Why?

The Senate has now said they are not going to vote on this bill, or they are not going to vote on health care reform until when? I think the majority leader has said in the Senate they are not going to do this until after the first of the year.

So we have 1,990 pages, plus 40, we are supposed to not only read this but understand it in 7 days, and we will not have any opportunity to go back to our constituents and say, What do you think of this? Or explain it to them and explain the difference between the two bills, the difference in approaches, government takeover of health care, freedom for you and more opportunity for you to select your health care.

These folks, they are outraged, saying why don't you take an extra week? Why don't you taken an extra 2 weeks? We are supposed to be home next week for Veterans Day, why not schedule a whole series of town hall meetings? We saw some of the impact of this yesterday where people from around the country sent a clear message to the White House and to the leadership of this Congress saying we don't like the arrogance with which Washington is treating our concerns and our issues. This stuff, we are not going to have an opportunity to provide an insight or a perspective on these bills to our Representatives in Congress. They are just going to ram this through.

The end result is they sent a clear message and they sent it across the country. They sent it in Virginia and New Jersey and in Michigan, all across the country, saying if this is the change that came as a result of the elections last year, we sure don't like it and there is an arrogance that is saying we are going to force this down Congress. We are going to force this on the American people without providing them with the opportunity to provide feedback.

This is why my colleague and all of us are excited about this process, saying if we can't take this bill to the American people, the American people are going to come to Washington tomorrow, and I think my colleague from Iowa wants to talk about this house call that hopefully the American people will participate in tomorrow.

Mr. BROUN of Georgia. I will yield to Mr. KING because he and MICHELE BACHMANN have been right at the beginning of the discussion about the house call on Congress. I am excited about that. As a medical doctor, I made house calls full time. I went to see my patients at their home, at work, wherever they needed to me to come. I did that from 2002 until 2007 I was elected to Congress, so for 5 years I was doing house calls full time trying to take care of the needs of my patients. We are asking people to make a house call on this House. It is absolutely critical.

I yield to Mr. KING.

Mr. KING of Iowa. I appreciate the gentleman yielding.

It works like this. This is the invitation to the American people. There are American people up and down the Eastern Seaboard, there are Americans who have already converged into this city. They are walking around the Capitol grounds tonight. They are here to defend their freedom to own their own health insurance policy, the one of their choice.

What we have seen happen is from the first part of August, Members of Congress deployed out across this country and did hundreds and hundreds of town hall meetings, and hundreds of thousands of people came, filled those meetings up and said I want my freedom. I don't want you taking away my health insurance policy. Eighty-five percent of the people in America are happy with the policy they have. But that was August. This is November. The people that have come back to serve in this House have been caught in the echo chamber, in the Speaker's pressure chamber that says vote for socialized medicine and a national health care act. What changes their mind is when they have to look in the eyes of regular American people, and what we have asked is that America come to this Capitol, fill up these Capitol grounds, fill up this building, be here for a press conference at noon tomorrow over on the West Side of the steps of the Capitol, and we will have there these Members of Congress that are here tonight, MICHELE BACHMANN, TOM PRICE, SCOTT GARRETT, MICHAEL BURGESS, and others, along with Mark Levin, Jon Voight, the actor, and many others. This will be a gathering where we talk about how we preserve our freedom at noon tomorrow on the West steps of the Capitol, and stay on the Hill because you will taken the Hill, and you have to hold it until this bill gets pulled down.

Mr. HOEKSTRA. As we were meeting in a Member's office last night we got

a call, and it was two people from Oregon saying, We are coming. We will be there on Thursday. So late Tuesday night, they were wondering what can we do to have an impact.

I think another one of our colleagues reported, because we really don't know how many people are going to show up tomorrow. Yesterday he said there are 10 buses coming from New Jersey. Tonight he said 24 buses are coming from his congressional district in New Jersey tomorrow to be here with us. We don't know exactly what is going to happen, but it is a clear indication that in 4 or 5 days, we have touched people around the country who want to come to this press conference or some call it a rally, or whatever. But it is a press conference.

We have touched people from around the country. They came here in August. They came for the tea party and those types of things. This is another opportunity to express our opinion, and hopefully by coming to the Capitol and meeting with our Representatives, they will finally get the message that we want freedom, we don't want government health care.

Mr. BROUN of Georgia. I will reclaim my time here. I have been trying to gear up people all over the country, trying to light grass fires with grass root support against the Pelosi health care bill. In fact, I carry a copy of the Constitution in my pocket.

Mr. HOEKSTRA. If the gentleman would yield, I don't think that is the Constitution. That can't be the Constitution. I mean, if that is the framework for how we run this country, if it takes 1,990 pages to do health care, it ought to take at least 20,000 pages to be the Constitution. How many pages are in the Constitution?

Mr. BROUN of Georgia. This is not only the full text of the Constitution, but it is every single amendment that has ever been made to the Constitution, plus it has the entire text of the Declaration of Independence in this little book.

Mr. HOEKSTRA. When you are talking about freedom, it doesn't take very many pages, does it?

How many pages?

Mr. KING of Iowa. Forty-six pages.

Mr. HOEKSTRA. I think the point is made when you are talking about freedom, it doesn't take a lot of pages. When you are talking about government control, it takes a lot of pages and a lot of bureaucracy.

I thank the gentleman. You made a great point.

□ 2210

Mr. HOEKSTRA. You made a great point.

Mr. BROUN of Georgia. Well, I point out, too, with this document, the beginning of this document starts with three very powerful words, "We the People." It is time for America to take this country back, to take their freedom back, to fight for liberty. And that's what this House call on Congress



is all about is for the people to come here and take America back, to make sure that they have good quality health care continuing, and lower the cost of insurance so that people can afford insurance.

We have been joined tonight by another good friend of ours, a freshman Member that came in with me. He was elected in a special election when I was in the last Congress, so he is serving his second term now as I am, Mr. STEVE SCALISE from New Orleans, Louisiana. But he has been actively trying to inform the people about how awful this is.

I thank you for joining us, and I yield to you, Mr. SCALISE.

Mr. SCALISE. I thank the gentleman from Georgia for yielding and for taking leadership in tonight's discussion that we're having, this House call, as we're trying to continue to go through this debate on health care.

When you showed that important document—what I think is the second most important document ever written since the Bible—the U.S. Constitution starts with those powerful words in the preamble, “We the People.” Last night, we heard what we the people said in those two elections in both the State of Virginia and the State of New Jersey, where the people very vocally said they don't want this kind of rampage to socialism, they don't want this massive government takeover of all aspects of their life when they spoke in those two elections last night. Unfortunately, Speaker PELOSI has not heard that same message.

When we talk about health care, all of us agree we need to reform things that are broken in health care, but I think those of us here tonight would all also recognize that many things about health care in this country make this the best medical care system in the world with some problems, and so you should go and fix those problems. And what is Speaker PELOSI's answer? It's a 1,990-page government takeover of health care.

We have gone through and we have broken this bill down, and we have seen so many bad things that would actually make health care worse. First of all, we have seen \$700 billion in new taxes on American small businesses and families. We've seen \$500 billion in cuts to Medicare in this bill. And if you go through this bill, with all of the regulations and the czars and the different things that take away components of health care that people like and want, one thing we do see is the real cost of this bill. It adds up, with over \$1 trillion of new spending. The real cost of this bill is over \$530 million per page.

When you look at a bill this big, 1,990 pages, you know, people ask me, what is \$1 billion? When you hear of all the ridiculous, outrageous spending in Washington and trillions of dollars being thrown around left and right, people say, What is \$1 billion? Well, you can just take pages one and two of Speaker PELOSI's bill. At \$530 million a

page, these first two pages right here add up to over \$1 billion in spending on health care that doesn't do anything to improve health care.

What we have done is we have gone through and come up with a common-sense alternative. It is going to be filed in response to this bill, but it's a representation of legislation we have been pushing for months to actually fix the problems in health care. And those problems are:

Preexisting conditions. We would all agree that it's not fair that somebody is discriminated against because they have a preexisting condition. We address that in our bill.

People should be able to have portability so that if they leave a job, they can take their health care with them. We address that in our bill.

We should have commonsense medical liability reform so that people don't have to go through all these invasive tests, as you know, Doctor, that people have to go through where about one-third of all the tests and procedures that are run are just strictly defending against frivolous lawsuits.

And then you look at this bill, the 1990-page bill, this could be called the “trial lawyer protection act” because there's not one page dedicated to commonsense legal reforms. So we save hundreds of millions of dollars to lower the cost of health care in our bill. In fact, the CBO has now scored our bill and said that it would reduce health care premiums by at least 10 percent and save billions of dollars in deficits that we wouldn't have to pass on to our future generations.

So our bill lowers the cost. It addresses preexisting conditions. It allows portability and buying across State lines, and it lowers the cost of health care while lowering the deficit. Their bill has \$700 billion in new taxes. It has \$500 billion in cuts to Medicare, and it makes health care in this country worse. Two very different approaches to this health care issue.

Mr. HOEKSTRA. If the gentleman would yield, what is the other document in front of the gentleman here?

Mr. SCALISE. And as my friend from Michigan points out, we do have another document here, and that is the United States Constitution. I think the most dramatic contrast is when you take Speaker PELOSI's approach to health care—20 pounds, by the way, and I've carried this thing around enough to know it is about 20 pounds of paper—and yet you take the U.S. Constitution and contrast it to this massive document of 1,990 pages—and this is the founding document of our country—we don't need a government takeover of health care. We need to fix the problems that are broken. We don't need to break all the things that make medical care great in this country.

That is why I thank you for your leadership. We need to continue this debate and encourage the American people to stay engaged because the American people want the problems

fixed, but they don't want the government—that couldn't even run a Cash for Clunkers program properly—to be taking over their health care and interfering in that relationship between the doctor and the patient.

I yield back.

Mr. KING of Iowa. Will the gentleman yield?

Mr. BROUN of Georgia. I will reclaim my time, and then I will yield to you, Mr. KING, in just a moment.

Frankly, if you look at that document, the small one that you just dropped down, the Constitution of the United States, you won't find any constitutional authority in that document—none—where the Federal Government has the authority, where we in Congress have the authority to take over the health care system of America. There is absolutely zero constitutional authority for that big bill, none.

But I also want to remind the people in America that this is not about health care. That bill is really not about health care either. It's about power and control, and it's about health insurance. It is creating a big government insurance company that is going to be subsidized by taxpayers. The bill itself is going to pay for abortions—taxpayers are going to be paying for abortions. The bill itself is going to give taxpayer-funded free health insurance to illegal aliens in this country.

We have tried, as Republicans, to change those in that humongous, outrageous bill. The Democrats have over and over again blocked every attempt we've put forward to try to make at least a little modicum of sense to that bill, and they blocked it over and over again.

It's about power. It's about control. It's about establishing a government insurance program that's going to take people's choices away. It's going to take their liberty away. It's going to take jobs away. It's going to take money away.

I yield to Mr. KING.

Mr. KING of Iowa. Before the gentleman from Louisiana gets off the floor, I wanted to just make a point in all fairness to the very sharp attorney from down there in Cajun country whose hospitality I have enjoyed. There is a little bit of a technicality in the presentation, and that is that the Pelosi bill actually does address some tort reform by establishing some new grant programs at the State level. But the caveat is that it is conditional to—those laws that they might set up at the State level can't limit attorneys' fees and they can't impose caps on damages. So if you can't cap damages and you can't limit attorneys' fees, then simply there can't be reform, and this is more gobbledygook Orwellian speak. It is in the bill, a matter of technicality. But functionally, I agree with the gentleman from Louisiana. I wanted to make that point.

Mr. SCALISE. If my friend from Iowa would yield through my friend from Georgia, that's one of the reasons we

call this in some ways the “no trial lawyer left behind act,” because this gives a protection to trial lawyers so that they can continue to raise up the cost of health care by forcing doctors to run all of these tests that they know they don’t have to run for the health of patients. And all of us patients have to endure those tests. We have to pay for those tests, not because it’s better for our health, but because those doctors are concerned that they’re going to be faced with these frivolous lawsuits that we protect in our bill. And in fact, they prohibit in their bill those protections to patients.

So that’s why their bill does so many invasive things. It protects the trial lawyers, and it prevents us from trying to address those issues that would actually lower the cost of health care, which is why we’re addressing it in our bill. Unfortunately, they’re blocking it in theirs.

And I yield back.

□ 2220

Mr. KING of Iowa. I appreciate the clarification.

I would point out that the cost of medical liability and the litigation and the defensive medicine is put at 8½ percent of the overall cost of health care in America by the health insurance underwriters. That is a low number compared to some of the other estimates, but the simple multiplier is \$203 billion a year, or over \$2 trillion over the course of this bill over 10 years, that would go to the trial lawyers and to the premiums and to the defensive medicine.

That’s just one of the reasons we’ve got to come in, and we, the people, have to assert ourselves tomorrow at noon at this Capitol Building. The press conference will be on the west steps. It’s a House call. The American people are here. Some are here now. Many are on their way. There will be many here tomorrow who will be surrounding this Capitol and filling up the grounds. They will be claiming their freedom, and they will be making their opinions known to these Members of Congress who are hanging in the middle and who have maybe decided that they are a little more afraid of the Speaker than they are of their constituents, but they like their jobs.

We know that August was effective and that early September was effective, but the energy has gone down. It gets wound up tomorrow, Mr. Speaker. It gets wound up to the maximum here tomorrow.

I’m going to ask people: Come. Come up on this Hill. You take this Hill. Hold this Hill, and don’t give it up until this socialized medicine bill is pulled down.

I yield back.

Mr. BROUN of Georgia. In fact, I will reclaim my time.

Mr. Speaker, a lot of people in this country may be saying, I can’t do it. Congressman KING from Iowa suggests that, but I can’t come to Washington

tomorrow. They may ask what could they do.

What I’ve told people, Mr. Speaker—to many people, I’ve told them, What you can do is you can contact your Congressmen at home. You can contact their district offices. You can go to the U.S. Senators’ State offices. You can visit them. I suggest that people at home go at noon tomorrow to their Congressmen’s offices and say “no” to the Pelosi health insurance bill, “no” to the government takeover of health insurance.

Maybe you’re working and can’t do that, Mr. Speaker. What I suggest to folks is that they get on the telephone and call their Congressmen’s offices here in Washington. Call the Congressmen’s offices in their districts. Email them. Fax them. Contact them somehow.

I’ve reminded people over and over again that former U.S. Senator Everett Dirksen said, when he feels the heat, he sees the light. When he feels the heat, he sees the light. Now, what is he saying there?

What he’s saying is that, when he’s going in one direction and he gets all of these phone calls, letters, faxes, emails—there weren’t emails when Everett Dirksen was around, but when he gets these contacts from his constituents—because Members of Congress want to be reelected usually, and those contacts say, Buster, you’re heading in the wrong direction. Suddenly, they start seeing the light and saying, Maybe I ought to listen to the people who’ve elected me, and maybe I ought to go in a different direction.

So it’s important for the American people, Mr. Speaker, to contact their Members of Congress and to tell their Congressmen that they do not want a government takeover of their health insurance, that they don’t want the destruction of the health care system in America. It’s absolutely critical, Mr. Speaker, for the American people to get actively engaged in taking America back and in making sure that we don’t destroy their health care insurance and the health care system.

Mr. HOEKSTRA is sitting there, just jumping around, wanting to speak, so I’ll yield to Mr. HOEKSTRA.

Mr. HOEKSTRA. I thank my colleague, and I thank him for sharing his copy of the Constitution. We made the point that the Constitution establishing this Nation and the amendments to the Constitution are 44 pages. This is 1,990 pages, but I think more powerful is what this document says.

When you are protecting freedom, it doesn’t take a lot of words. When you’re limiting government, it doesn’t take a lot of words. Think about the difference. This document, the Pelosi health care document, I think, over 3,000 times says “the commissioner shall,” “the commissioner will,” “the commissioner may.” That’s all losing authority.

If you take a look at the Constitution and if you read what the Constitu-

tion says, the Constitution puts limits on what government will do, and it protects individual rights. Here it says that Congress shall make no law a limitation on us—not on the people.

This expands government.

Shall not be infringed. No soldier shall without the consent. The right of the people to be secure against unreasonable searches. No person shall nor shall private property be taken. The accused shall enjoy. This. This document. It protects the American people from invasive and from overintrusive government. That’s what the Founding Fathers thought.

They would be horrified by this bill to see that the commissioner shall develop the health care plans that you and I will have the opportunity to choose from. The commissioner shall establish penalties for those people who don’t buy insurance. The commissioner shall develop this. The ombudsman shall do this. There are no limitations on government in here. This is all about the expansion of government, and our Founding Fathers were all about limiting government. This is night and day. This is 44 pages guaranteeing our freedoms. This is 1,990 pages taking freedoms away.

Many have called and said, Congressman, is this actually constitutional?

Maybe they’ll find a court that says this is constitutional; but in the spirit of the Founding Fathers, they would have been horrified by what this document does and how it limits individual American freedoms.

We’ll have to take a look and see if we can’t—although, I think the people who will be at our House call tomorrow understand this document, and they understand the night and day difference between this document and what Speaker PELOSI is trying to do here with this document in that this shreds the Constitution. It shreds personal freedom. It gives power to Washington and bureaucracies and, in one vote, 16–18 percent of the economy. That amount of freedom moves from our constituents, and it moves to Washington, D.C. It goes flying right through this House, and it goes right into unelected and unaccountable bureaucrats.

I yield back.

Mr. BROUN of Georgia. I’ll reclaim my time.

In fact, those unelected bureaucrats are going to stand right between every patient in this country and their doctors. In fact, it’s unelected bureaucrats appointed by the President who are going to be part of this health care czar panel, as I call it. The commissioner will be appointed and will go through confirmation by the Senate, but the panel will not. They’re going to make decisions about every single health care insurance policy in this country.

So, Mr. Speaker, the American people need to understand very clearly: if they have insurance today that they like, they can forget it because it’s going to be thrown out. The health

care czar is going to establish every single health insurance policy in America.

The President, himself, has said his desire, his ultimate goal, is to completely take over the whole of the health care system and to put it into one single health insurance program, administered by government bureaucrats who are going to make decisions for every single American person. The doctor won't be making the medical decisions. The patient won't be making the medical decisions. The families won't be making the medical decisions. It's going to be a government bureaucrat who's going to be making those.

The American people need to understand that, Mr. Speaker. Are they going to sit back and idly let this happen? Right now, it's slated to happen Saturday night. Saturday night we're supposed to vote on that monstrosity, on what I'm calling a dead, rotten, stinking fish that NANCY PELOSI is trying to force down the throats of the American people. The American people need to say "no," Mr. Speaker.

I yield to Mr. KING.

Mr. KING of Iowa. I thank the gentleman from Georgia.

I wish they'd take that 1,990-page bill—and with the 40-page amendment, it's 2,030 pages—and put it back into the tree. It would have a lot more use there than it does here. I have to call it what it has been called before, especially by the Congresswoman from Minnesota, MICHELE BACHMANN, who called it the "crown jewel of socialism." This is socialized medicine. It's more than cradle-to-grave medicine. It goes beyond the nanny state, Mr. Speaker. This is conception to state-managed death health care that's being imposed here.

As I said earlier, there isn't a single health insurance policy that we know which could qualify beyond 2013. Any policies that are set today, according to this, would be outlawed, and they would have to jump through new hoops that would be written by the new health choices commissioner, the czar—the commissar-issnioner of health choices, I would call him. Yes, he may be confirmed, but it doesn't prevent the President from appointing someone to supersede his power. He has done that a number of times, some 57 times.

This is a call to the House. This is a House call. This is the American people coming here to this Capitol. For months, Mr. Speaker, the American people have said to me, What can I do? What can I do?

□ 2230

I don't always have a good answer. I said write letters, get on the phone and send e-mails. Go to district offices. All that needs to be done.

There are those who already have resigned themselves also. I am not among them. I believe we can kill this bill. And I would draw the parallel of about 3 years ago when there was a comprehensive amnesty bill that was

pushed out of the White House with bipartisan support, and the American people rejected amnesty. A lot of people thought it was all set to pass through, pushed by the White House through the Senate to come over to the House and be passed in a comprehensive amnesty legislation. But the American people rose up and they jammed the switchboards of the United States Senate. And they did it twice that summer. They killed the bill.

We can kill this bill. It doesn't have the greased wheels like the comprehensive amnesty did. This bill is one that is wobbling along like a wounded duck, and it got wounded a lot more when it flew through the flak in New Jersey and in Virginia last night, when the Virginians and the New Jersians stood up and said we have had enough of this growth of government. We have had enough of this debt, that our grandchildren will have to be paying the interest on and that our great grandchildren will have to pay the principle on. We want to maintain our freedom.

That message was resounding out of Virginia. It was resounding out of New Jersey. And it does affect the thought process and the voting of the Members that are sitting on the fence tonight. And the American people that are in this city right now and those on their way will affect the judgment, and they will provide the good judgment for those who are sitting on the fence. Those that are more afraid of their Speaker than they are of their constituents, tomorrow they are going to see the whites of our eyes. They are going to look in the pupils to the soul of the American people that say I love my Constitution and my country and my flag and our history and our common cause.

We do not have a common destiny if we can't maintain our freedom. Already a third of our private sector has been nationalized in the last year. This is another one-sixth. This is 17.5 percent. It does take us over 50 percent.

This is the time, this is the place, this is the "Super Bowl" of our resistance. Take the Hill tomorrow. Hold the Hill until this bill is killed.

Mr. BROUN of Georgia. Mr. KING, I thank you for this effort to get this house call on the U.S. House of Representatives. It is absolutely critical that the American people, Mr. Speaker, understand what is happening here this week and particularly is scheduled to happen Saturday night. It is going to kill 5.5 million jobs if we pass the Pelosi health insurance bill, it is going to kill our economy, and it is going to kill our children and grandchildren's future, because we are stealing with this outrageous spending that the Democrats have been doing under the leadership of Barack Obama and NANCY PELOSI and HARRY REID. We are stealing our grandchildren's future. Their standard of living is going to be less than ours today if we continue down this road.

We have to take America back, Mr. Speaker, and it is up to we people, the

American citizens, the good citizens, freedom-loving citizens, who want to work, take care of their families' needs, and want the Federal Government out of their hair. That is what we are trying to do as Republicans. But the Democrats are trying to socialize this country.

Mr. HOEKSTRA, some people may have joined us since you first started speaking. There are two stacks of paper right there before you, and I want you to please tell the Speaker so that he can pass on to the American people what those two stacks of paper represent.

Mr. HOEKSTRA. We have three.

Mr. BROUN of Georgia. That is not a stack.

Mr. HOEKSTRA. This is the 44 pages that our Founding Fathers put together to establish this country and articulate and lay out the freedoms for the American people. This is a document of freedom.

Mr. BROUN of Georgia. The Constitution of the United States and the Declaration of Independence.

Mr. HOEKSTRA. Right. And this is the document that Republicans have proposed to fix health care, the parts of health care that have been identified as being broken, 232 pages.

Mr. BROUN of Georgia. Reclaiming my time, let's make it clear. That is the Republican alternative that the Democrats keep saying we don't have.

Mr. HOEKSTRA. Right. And then this is Speaker PELOSI's bill, most of her bill, 1,990 pages introduced last week. It doesn't have the 40 pages of the manager's amendment which were added to the bill late last night. This is the document that contains in it the phrase "the commissioner shall" or "the government shall" something like 3,000 times.

The Constitution is all about freedom. This is all about the loss of freedom.

I thank my colleague for doing this session this evening.

Mr. BROUN of Georgia. It is a loss of jobs, it is a loss of everything that has made America great.

I want to thank my friends, STEVE KING from Iowa, PETE HOEKSTRA from Michigan and Dr. PHIL GINGREY from Georgia. This has been I hope an instructive evening for the listeners and for the Speaker, because we cannot let this bill pass. It is going to destroy freedom. It is a steamroller of socialism being driven by NANCY PELOSI. The American people need to put a stop sign in front of that steamroller of socialism.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. GRIFFITH) to revise and extend their remarks and include extraneous material:)

Mr. CUMMINGS, for 5 minutes, today.  
 Mr. TOWNS, for 5 minutes, today.  
 Ms. WOOLSEY, for 5 minutes, today.  
 Mr. GRIFFITH, for 5 minutes, today.  
 Mr. BISHOP of New York, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.  
 Ms. KAPTUR, for 5 minutes, today.  
 Mr. MASSA, for 5 minutes, today.

(The following Members (at the request of Ms. FOX) to revise and extend their remarks and include extraneous material:)

Mr. GINGREY of Georgia, for 5 minutes, today.

Mr. REHBERG, for 5 minutes, November 5.

## ADJOURNMENT

Mr. HOEKSTRA. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 35 minutes p.m.), the House adjourned until tomorrow, Thursday, November 5, 2009, at 10 a.m.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

4454. A letter from the Program Manager, Health and Human Services, transmitting the Department's "Major" final rule — Medical Examination of Aliens — Removal of Human Immunodeficiency Virus (HIV) infection from Definition of Communicable Disease of Public Health Significance [Docket No.: CDC-2009-0003] (RIN: 0920-AA26) received October 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4455. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Upper Mississippi River, Mile 839.7 to 840.3 [COTP Sector Upper Mississippi River-07-018] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4456. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; St. Croix River, Mile 022.9 to 023.5 [COTP Sector Upper Mississippi River-07-019] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4457. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Fair St. Louis 2007, Upper Mississippi River Mile Marker 179.2 to Mile Marker 180.0, St. Louis, MO [COTP Sector Upper Mississippi River-07-020] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4458. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Live on The Levee 2007, Upper Mississippi River Mile Marker 179.2 to Mile Marker 180.0, St. Louis, MO [COTP Sector Upper Mississippi River-07-021] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4459. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Upper Mississippi River, Mile 847.0 to 857.0 [COTP Sector Upper Mississippi River-07-026] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4460. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Lake of the Ozarks, Mile 21.0 to 23.0 [COTP Sector Upper Mississippi River-07-027] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4461. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Lake of the Ozarks, Mile 25.8 to 26.2 [COTP Sector Upper Mississippi River-07-028] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4462. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Lake of the Ozarks, Mile 13.2 to 14.2 [COTP Sector Upper Mississippi River-07-029] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4463. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Kaskaskia River, Mile 028.0 to 029.0 [COTP Sector Upper Mississippi River-07-030] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4464. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Missouri River, Mile 371.1 to 371.3 [COTP Sector Upper Mississippi River-07-031] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4465. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Missouri River, Mile 397.0 to 398.0 [COTP Sector Upper Mississippi River-07-032] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4466. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Savannah River, Savannah, GA [COTP Savannah-07-260] (RIN: 1625-AA87) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4467. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Savannah River, Savannah, GA [COTP Savannah-07-263] (RIN: 1625-AA87) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4468. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Elk Rapids Harbor Days Fireworks, Elk Rapids, Michigan [CGD09-06-132] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4469. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety

Zone; Savannah River, Savannah, GA [COTP Savannah-07-264] (RIN: 1625-AA87) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4470. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Savannah River, Savannah, GA [COTP Savannah-07-269] (RIN: 1625-AA87) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4471. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; M/V Empress of the North [COTP Southeastern Alaska 07-001] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4472. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Steelhead Triathlon, St. Joseph, Michigan [CGD09-06-133] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4473. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Waterfront Festival, Menominee, Wisconsin [CGD09-06-134] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4474. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone Regulations; Tampa Bay, FL [COTP Sector St. Petersburg 07-003] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4475. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Irish Fest Fireworks, Milwaukee, Wisconsin [CGD09-06-136] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4476. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Gulf of Mexico, FL [COTP St. Petersburg 07-111] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4477. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Lyme Community Field Days Fireworks, Chaumont Bay, NY [CGD09-06-137] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4478. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Tampa Bay, FL [COTP St. Petersburg 07-026] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4479. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Ellison Bay, Wisconsin [CGD09-06-021] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4480. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety

Zone for St. Petersburg Grand Prix; Tampa Bay, FL [COTP St. Petersburg 07-029] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4481. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Lake Express Water Ski Demonstration, Lake Michigan, Milwaukee, WI [CGD09-06-022] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4482. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone Regulations; Tampa Bay, FL [COTP St. Petersburg 07-030] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4483. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Charlevoix Venetian Festival Fireworks, Round Lake, Charlevoix, MI [CGD09-06-023] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4484. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone Regulation; Tampa Bay, FL [COTP Sector St. Petersburg 07-038] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4485. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone Regulations; Tampa Bay, FL [COTP Sector St. Petersburg 07-044] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4486. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Captain of the Port Detroit Zone, Detroit River, Detroit, MI [CGD09-06-028] (RIN: 1625-AA87) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4487. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone for St. Petersburg Grand Prix Air Show; Tampa Bay, FL [COTP Sector St. Petersburg 07-045] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4488. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone — Memorial Day Fireworks, Maumee River, Toledo, OH [CGD09-06-033] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4489. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone, Coast Guard Live Fire Exercise, Gulf of Mexico, Clearwater, FL [COTP Sector St. Petersburg, FL 07-050] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4490. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Tampa Bay, FL [COTP St. Petersburg 07-054] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4491. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Cuyahoga River, Cleveland, Ohio. West Third Street Bridge installment [CGD09-06-034] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4492. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Fireworks — Seddon Channel, Tampa Bay, Florida [COTP Sector St. Petersburg, FL 07-056] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4493. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Algonac Offshore Challenge, St. Clair River North Channel, Algonac, MI [CGD09-06-037] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4494. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Freedom Festival Fireworks, Ludington, Michigan [CGD09-06-096] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4495. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Southside Summer Festival, St. Clair River, Port Huron, MI [CGD09-06-039] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4496. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone, St. Anthony's Triathlon, St. Petersburg, FL [COTP Sector St. Petersburg, FL 07-069] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4497. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Clearwater Harbor, Florida [COTP Sector St. Petersburg 07-081] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4498. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Independent Holiday Fireworks Display, Detroit River, Grosse Ile, MI [CGD09-06-048] (RIN: 1625-AA48) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4499. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Port of Toledo — Anthony Wayne Bridge, Maumee River, OH [CGD09-06-057] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4500. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Mineola Bay Fireworks, Fox Lake, IL [CGD09-06-071] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4501. A letter from the Attorney Advisor, Department of Homeland Security, transmit-

ting the Department's final rule — Safety Zone; Duluth Fireworks, Lake Superior, Duluth, MN [CGD09-06-080] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4502. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; 4th of July Firework Display, Kenosha, Wisconsin [CGS09-06-080] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4503. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Madeline Island Fireworks, Lake Superior, Lapointe, WI [CGD09-06-082] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4504. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Harbor Spring 4th of July Fireworks, Harbor Springs, Michigan [CGD09-06-082] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4505. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Fish Creek Fireworks Display, Fish Creek, Wisconsin [CGD09-06-085] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4506. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Captain of the Port Buffalo Zone [CGD09-06-085] received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4507. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Harrisville Fireworks Display, Lake Huron, Harrisville, MI [CGD09-06-086] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4508. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Captain of the Port Sector Lake Michigan Zone [CGD09-06-087] received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4509. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Au Gres City Fireworks Display, Lake Huron, Au Gres, MI [CGD09-06-088] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4510. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Bay Harbor Yacht Club Fireworks, Bay Harbor Lake, Michigan [CGD09-06-090] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4511. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Taste of Chicago Fireworks, Lake Michigan, Chicago, IL [CGD09-06-091] (RIN: 1625-AA00) received October 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4512. A letter from the Office Manager, Department of Health and Human Services, transmitting the Department's "Major" final rule — Medicare Program; Payment Policies Under the Physician Fee Schedule and Other Revisions to Part B for CY 2010 [CMS-1413-FC] (RIN: 0938-AP40) received October 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and Ways and Means.

4513. A letter from the Office Manager, Department of Health and Human Services, transmitting the Department's "Major" final rule — Medicare Program; Home Health Prospective Payment System Rate Update for Calendar Year 2010 [CMS-1560-F] (RIN: 0938-AP55) received October 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Energy and Commerce.

4514. A letter from the Office Manager, Department of Health and Human Services, transmitting the Department's "Major" final rule — Medicare Program; Changes to the Hospital Outpatient Prospective Payment System and CY 2010 Payment Rates; Changes to the Ambulatory Surgical Center Payment System and CY 2010 Payment Rates [CMS-1414-FC] (RIN: 0938-AP41) received October 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Energy and Commerce.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WAXMAN: Committee on Energy and Commerce. H.R. 3276. A bill to promote the production of molybdenum-99 in the United States for medical isotope production, and to condition and phase out the export of highly enriched uranium for the production of medical isotopes; with an amendment (Rept. 111-328). Referred to the Committee of the Whole House on the State of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. LORETTA SANCHEZ of California:

H.R. 4014. A bill to establish a program to provide guarantees for debt issued by State catastrophe insurance programs to assist in financial recovery from natural catastrophes; to the Committee on Financial Services.

By Mr. MCNERNEY (for himself and Mr. PERRIELLO):

H.R. 4015. A bill to amend the Internal Revenue Code of 1986 to extend certain estate tax provisions and restore and increase the estate tax deduction for certain family-owned business interests; to the Committee on Ways and Means.

By Mr. OBERSTAR:

H.R. 4016. A bill to reauthorize the hazardous material safety program, ensure the safe transport of hazardous material in all modes of transportation, and reduce the risks to life and property inherent in the commercial transportation of hazardous material, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. MCGOVERN (for himself, Mr. LYNCH, Mr. TIERNEY, Mr. OLIVER, Ms. TSONGAS, Mr. MARKEY of Massachu-

setts, Mr. CAPUANO, Mr. NEAL of Massachusetts, Mr. FRANK of Massachusetts, and Mr. DELAHUNT):

H.R. 4017. A bill to designate the facility of the United States Postal Service located at 43 Maple Avenue in Shrewsbury, Massachusetts, as the "Ann Marie Blute Post Office"; to the Committee on Oversight and Government Reform.

By Mr. DEAL of Georgia (for himself, Mr. BURGESS, Mr. BUYER, Mr. PITTS, and Mr. BLUNT):

H.R. 4018. A bill to amend the Public Health Service Act to provide additional health insurance options for unemployed individuals; to the Committee on Energy and Commerce.

By Mr. DEAL of Georgia (for himself, Mr. BURGESS, Mr. BUYER, and Mr. BLUNT):

H.R. 4019. A bill to amend the Public Health Service Act to limit preexisting condition exclusions in the individual health insurance market to those permitted in the group health insurance market; to the Committee on Energy and Commerce.

By Mr. BURGESS (for himself, Mr. DEAL of Georgia, Mr. PITTS, Mr. BUYER, and Mr. BLUNT):

H.R. 4020. A bill to enable States to establish reinsurance programs or high risk pools to ensure that high risk individuals are able to access health insurance; to the Committee on Energy and Commerce.

By Mr. BLUMENAUER (for himself, Mrs. BONO MACK, Mrs. CAPPS, Mr. CASSIDY, Mr. CONNOLLY of Virginia, Mr. FILNER, Mr. HOLT, Ms. SCHWARTZ, Mr. WELCH, and Mr. WU):

H.R. 4021. A bill to expand the Safe Routes to School program to high schools; to the Committee on Transportation and Infrastructure.

By Mr. BOYD:

H.R. 4022. A bill to prohibit additional requirements for the control of *Vibrio vulnificus* applicable to the post-harvest processing of oysters; to the Committee on Energy and Commerce.

By Mr. DUNCAN:

H.R. 4023. A bill to provide for cost-of-living adjustment of the resources limits under the supplemental security income program; to the Committee on Ways and Means.

By Ms. HIRONO (for herself and Mr. ABERCROMBIE):

H.R. 4024. A bill to amend the Native Hawaiian Health Care Improvement Act to revise and extend that Act; to the Committee on Energy and Commerce.

By Ms. ROS-LEHTINEN (for herself and Mr. SHERMAN):

H.R. 4025. A bill to provide for justice and compensation for United States citizens taken hostage by Iran, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SPACE:

H.R. 4026. A bill to provide for the withholding of United States assistance to a foreign country in an amount equal to 110 percent of the total amount of costs incurred by United States hospitals and other medical facilities for the long-term care of aliens unlawfully present in the United States from that country during the preceding fiscal year, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RAHALL (for himself, Mr. MOLONAH, and Mrs. CAPITO):

H. Con. Res. 208. Concurrent resolution supporting the goals and ideals of a National Miner's Day to celebrate and honor the contributions of miners and encouraging the people of the United States to participate in local and National activities celebrating and honoring the contributions of miners; to the Committee on Education and Labor.

By Ms. GRANGER (for herself, Mr. KINGSTON, and Mrs. MYRICK):

H. Res. 888. A resolution expressing the continued support and call for a renewed focus on the "Green Movement" within Iran, which embraces the yearning of the Iranian people in seeking freedom, human rights, and fundamental elements of democracy; to the Committee on Foreign Affairs.

By Mr. DAVIS of Tennessee:

H. Res. 889. A resolution congratulating the National Association of Farm Service Agency County Office Employees (NASCOE) on its 50th anniversary and its role in support of American agriculture; to the Committee on Agriculture.

By Mr. MCDERMOTT (for himself, Mr. ROYCE, Mr. ACKERMAN, and Mr. BURTON of Indiana):

H. Res. 890. A resolution welcoming the Prime Minister of the Republic of India, His Excellency Dr. Manmohan Singh, to the United States; to the Committee on Foreign Affairs.

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 303: Mr. KING of Iowa and Mr. GERLACH.

H.R. 391: Mr. MCHENRY and Mr. LEE of New York.

H.R. 501: Mr. RUSH.

H.R. 571: Mr. HASTINGS of Florida, Mr. JACKSON of Illinois, Mr. COFFMAN of Colorado, Ms. CORRINE BROWN of Florida, Mr. TAYLOR, Mrs. BLACKBURN, Mr. WILSON of South Carolina, Mrs. BONO MACK, and Mr. NYE.

H.R. 690: Mr. DAVIS of Kentucky, Mr. ROGERS of Kentucky, Mr. FORTENBERRY, and Mr. SIMPSON.

H.R. 776: Mrs. NAPOLITANO.

H.R. 868: Mr. ARCURI, Mr. HIGGINS, Mr. HOLT, and Ms. ROYBAL-ALLARD.

H.R. 930: Mr. KILDEE.

H.R. 980: Mr. BISHOP of New York.

H.R. 1058: Mr. FLEMING.

H.R. 1086: Mr. KLINE of Minnesota.

H.R. 1175: Mr. ADLER of New Jersey, Mrs. HALVORSON, Mr. SPRATT, Ms. HERSETH SANDLIN, Mr. GORDON of Tennessee, Ms. RICHARDSON, Mr. KILDEE, and Mr. CONNOLLY of Virginia.

H.R. 1191: Mr. BOUCHER and Mr. BUTTERFIELD.

H.R. 1203: Mr. COHEN.

H.R. 1289: Ms. SHEA-PORTER.

H.R. 1308: Mr. AL GREEN of Texas.

H.R. 1443: Mrs. NAPOLITANO and Mr. WALZ.

H.R. 1454: Mr. POLIS.

H.R. 1545: Mr. LARSON of Connecticut.

H.R. 1596: Mr. AL GREEN of Texas, Mr. SERRANO, Mr. MCINTYRE, and Mr. FALEOMAVAEGA.

H.R. 1708: Mr. RUPPERSBERGER.

H.R. 1826: Mr. PASCRELL.

H.R. 1835: Mr. SABLON, Mr. BOUSTANY, Mr. GOHMERT, and Mr. WILSON of South Carolina.

H.R. 2046: Mr. VAN HOLLEN and Mr. ROTHMAN of New Jersey.

H.R. 2160: Mr. McMAHON.

H.R. 2296: Mr. SIMPSON.

H.R. 2324: Mrs. NAPOLITANO, Mr. HALL of New York, Ms. SCHAKOWSKY, Mr. PAYNE, Ms. VELÁZQUEZ, and Mr. TOWNS.



H.R. 2381: Mr. TOWNS.  
 H.R. 2452: Mr. HOLT and Mr. CHAFFETZ.  
 H.R. 2478: Mr. MEEKS of New York.  
 H.R. 2480: Mr. LEWIS of Georgia and Mr. POLIS.  
 H.R. 2504: Mr. COHEN.  
 H.R. 2511: Mr. ROTHMAN of New Jersey.  
 H.R. 2538: Mr. WOLF.  
 H.R. 2546: Mr. LIPINSKI and Mr. MURPHY of Connecticut.  
 H.R. 2567: Mr. PASCRELL.  
 H.R. 2607: Mr. GERLACH and Mr. RYAN of Wisconsin.  
 H.R. 2608: Mr. RADANOVICH.  
 H.R. 2628: Mr. TURNER.  
 H.R. 2698: Mr. INGLIS, Mr. HALL of Texas, Mr. OLSON, and Mr. JONES.  
 H.R. 2708: Mr. MINNICK and Mr. SHULER.  
 H.R. 2724: Mr. POLIS and Ms. BORDALLO.  
 H.R. 2799: Mr. NEUGEBAUER and Mr. FRANKS of Arizona.  
 H.R. 2906: Mr. KENNEDY and Ms. BALDWIN.  
 H.R. 2935: Mr. STARK and Mr. SCHRADER.  
 H.R. 3053: Ms. SCHAKOWSKY and Mr. FILNER.  
 H.R. 3147: Mr. KILDEE.  
 H.R. 3339: Mr. CHAFFETZ.  
 H.R. 3359: Mr. CLAY and Mr. WU.  
 H.R. 3460: Mr. CARNAHAN and Mr. GRIJALVA.  
 H.R. 3485: Mr. OLVER and Mr. MARKEY of Massachusetts.  
 H.R. 3508: Mr. PETRI, Mr. TURNER, and Mr. KLINE of Minnesota.  
 H.R. 3608: Mr. WALZ.  
 H.R. 3623: Ms. JACKSON-LEE of Texas.  
 H.R. 3644: Mr. ABERCROMBIE.  
 H.R. 3646: Mr. GENE GREEN of Texas.  
 H.R. 3650: Mr. BUCHANAN.  
 H.R. 3683: Mr. SOUDER.  
 H.R. 3692: Mr. HILL.  
 H.R. 3703: Mr. MANZULLO.  
 H.R. 3731: Mr. LEVIN.  
 H.R. 3745: Ms. SCHAKOWSKY.  
 H.R. 3752: Mr. SIMPSON.  
 H.R. 3771: Mr. COHEN.  
 H.R. 3790: Mrs. SCHMIDT, Mr. TIERNEY, Mr. ETHERIDGE, Mr. GONZALEZ, and Mr. TANNER.  
 H.R. 3791: Mr. SIRES, Mr. NADLER of New York, Mrs. CAPPS, Mr. HARE, Mr. BOSWELL, Mr. MURPHY of Connecticut, Mr. LYNCH, Mr. CARNEY, Mr. RUPPERSBERGER, Mr. KILDEE, Ms. SCHWARTZ, Ms. EDWARDS of Maryland, Ms. MARKEY of Colorado, Mr. BOCCIERI, Mr. MCGOVERN, Mr. BISHOP of New York, Ms.

BORDALLO, Mr. SARBANES, Mr. SHERMAN, Mr. ISRAEL, Mr. BOUCHER, Mr. SCHAUER, Mr. LOEBSACK, Mr. BLUMENAUER, and Mr. REICHERT.  
 H.R. 3799: Ms. BALDWIN.  
 H.R. 3800: Mr. SCHAUER.  
 H.R. 3855: Mr. CROWLEY, Mr. FATTAH, and Mr. CAPUANO.  
 H.R. 3906: Mr. COHEN.  
 H.R. 3912: Mrs. MYRICK.  
 H.R. 3921: Ms. BEAN, Mr. AL GREEN of Texas, Mr. BRIGHT, and Mr. QUIGLEY.  
 H.R. 3922: Mr. BISHOP of New York.  
 H.R. 3924: Mr. SESSIONS, Mr. OLSON, and Mr. WITTMAN.  
 H.R. 3926: Mrs. MYRICK, Mr. SALAZAR, Mr. HOLDEN, Mr. MITCHELL, Mr. TAYLOR, Mr. BRIGHT, Ms. GIFFORDS, Mr. COOPER, Mr. TANNER, Mr. CHILDERS, Mr. CHANDLER, Mr. SHULER, Mr. HILL, Ms. HERSETH SANDLIN, Mr. BISHOP of Georgia, Mr. THOMPSON of California, Mr. BARROW, Mr. COSTA, Mr. MARSHALL, Mr. MINNICK, Mr. MOORE of Kansas, Mr. CARNEY, Mr. MATHESON, Ms. LORETTA SANCHEZ of California, Mr. POMEROY, Mr. SCHIFF, and Mr. CARDOZA.  
 H.R. 3939: Ms. LINDA T. SANCHEZ of California.  
 H.R. 3943: Mr. LOEBSACK, Mr. BISHOP of New York, Ms. KILROY, Ms. BORDALLO, and Ms. KOSMAS.  
 H.R. 3947: Mr. MCMAHON.  
 H.R. 3950: Mr. WOLF.  
 H.R. 3966: Mr. GRIJALVA.  
 H.R. 3977: Mr. GEORGE MILLER of California.  
 H.R. 3991: Mr. GRIJALVA.  
 H.R. 4009: Mr. GRIJALVA.  
 H. Con. Res. 42: Mr. SABLAN and Mr. PIERLUISI.  
 H. Con. Res. 43: Mr. SABLAN and Mr. PIERLUISI.  
 H. Con. Res. 139: Ms. DEGETTE.  
 H. Con. Res. 169: Mr. MELANCON, Mrs. SCHMIDT, Mr. WITTMAN, Mr. Scalise, Mr. LINDER, and Mr. DUNCAN.  
 H. Con. Res. 198: Mr. BLUMENAUER, Ms. JENKINS, Mr. WITTMAN, Mr. MCINTYRE, Mr. BUYER, Mr. COSTELLO, Ms. NORTON, Mr. TURNER, and Mr. MARKEY of Massachusetts.  
 H. Con. Res. 199: Mr. BACA, Ms. LEE of California, Mr. WU, Mr. BOREN, Mr. MILLER of Florida, Mr. FALEOMAVAEGA, Mr. GRIJALVA,

Mr. AL GREEN of Texas, Mr. BROWN of South Carolina, Mr. GUTIERREZ, Mr. YOUNG of Alaska, Mr. CARNEY, Mr. BROUN of Georgia, Mr. GEORGE MILLER of California, Mr. FILNER, Mr. CARSON of Indiana, and Mr. CAO.  
 H. Con. Res. 200: Mr. MCCOTTER and Mr. FRANK of Massachusetts.  
 H. Con. Res. 203: Mrs. MYRICK, Mr. COBLE, Mr. COLE, Mr. DANIEL E. LUNGREN of California, and Mr. FRANKS of Arizona.  
 H. Res. 200: Ms. WOOLSEY.  
 H. Res. 227: Mr. LEVIN.  
 H. Res. 397: Mr. ROSS.  
 H. Res. 443: Mr. SABLAN.  
 H. Res. 577: Mr. LAMBORN, Mr. WALZ, Mr. BACHUS, Mr. SPACE, Mr. KIRK, and Mr. SCALISE.  
 H. Res. 615: Mr. KLINE of Minnesota.  
 H. Res. 700: Mr. DOGGETT and Mrs. NAPOLITANO.  
 H. Res. 711: Mr. FRANK of Massachusetts.  
 H. Res. 748: Mr. LAMBORN.  
 H. Res. 847: Mr. MANZULLO, Mr. SHIMKUS, Mr. ROYCE, Mr. POE of Texas, and Mr. DANIEL E. LUNGREN of California.  
 H. Res. 848: Mr. CARNEY.  
 H. Res. 856: Mr. SCALISE, Mr. ALEXANDER, and Mr. FLEMING.  
 H. Res. 870: Mr. GARRETT of New Jersey, Mr. WALDEN, Mr. REHBERG, Mr. RADANOVICH, and Mr. TURNER.  
 H. Res. 877: Mr. LEE of New York, Mr. WALZ, Mr. JOHNSON of Georgia, and Ms. LORETTA SANCHEZ of California.

#### CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY Mr. WAXMAN

The provisions that warranted a referral to the Committee on Energy and Commerce in H.R. 3962, the "Affordable Health Care for America Act," do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.